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COMMISSION ON HUMAN RIGHTS

REPORT ON THE FIFTY-SEVENTH SESSION

(19 March - 27 April 2001)

PART II*

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* Parts I-III will subsequently be published in a single volume, as the *Official Records of the Economic and Social Council, 2001, Supplement No. 3*. The text of Part II hereafter is reproduced as adopted *ad referendum* by the Commission.

UNITED NATIONS
New York and Geneva, 2001

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III. Organization of the work of the session

A. Opening and duration of the session

1. The Commission on Human Rights held its fifty-seventh session at the United Nations Office at Geneva from 19 March to 27 April 2001. It held 80 meetings (see E/CN.4/2001/SR.1-80) during the session.

2. The session was opened by Mr. Shambhu Ram Simkhada, Chairperson of the Commission at its fifty-sixth session, who made a statement.

3. At the 1st meeting, on 19 March 2001, Ms. Mary Robinson, United Nations High Commissioner for Human Rights, made a statement.

B. Attendance

4. The session was attended by representatives of States members of the Commission, by observers for other States Members of the United Nations, by observers for non-member States and Palestine and by representatives of the specialized agencies, regional intergovernmental organizations, other entities, national human rights organizations and non-governmental organizations. An attendance list is given in annex II to the present report.

C. Election of officers

5. At its 1st meeting, the Commission elected the following officers by acclamation:

Chairperson:	Mr. Leandro Despouy (Argentina)
Vice-Chairpersons:	Ms. Najat Al-Hajjaji (Libyan Arab Jamahiriya) Ms. Anda Filip (Romania) Mr. Álvaro de Mendonça e Moura (Portugal)
Rapporteur:	Mr. Imtiaz Hussain (Pakistan)

D. Agenda

6. Also at its 1st meeting, the Commission had before it the provisional agenda of the fifty-seventh session (E/CN.4/2001/1 and Add.1 and Corr.1), drawn up, in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the provisional agenda considered by the Commission at its fifty-sixth session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII) of 1 August 1974.

7. The agenda was adopted without a vote. For the text as adopted, see annex I to the present report.

E. Organization of work

8. At its 2nd meeting, on 20 March 2001, the Commission considered the organization of its work.

9. For the documents of the fifty-seventh session issued under agenda item 3, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

10. Also at its 2nd meeting, on the recommendation of its officers, the Commission decided to invite a number of experts, special rapporteurs, special representatives, chairpersons-rapporteurs of working groups and other persons to participate in the meetings at which their reports were to be considered.

11. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/101.

12. At its 2nd meeting, on 20 March 2001, the Commission approved the timetable for the consideration of agenda items as proposed by the Bureau.

13. At its 2nd and subsequent meetings, the Commission accepted the recommendations of its officers regarding the conduct of business.

Speaking time and other arrangements

14. With regard to speaking time and arrangements, it was agreed that members of the Commission should be entitled to one statement of 10 minutes or two statements of 5 minutes per item and all observers (Governments, intergovernmental organizations, specialized agencies and non-governmental organizations) to one statement of 5 minutes per item.

15. It was also agreed that each non-governmental organization should be entitled to not more than six statements per session. With regard to joint statements by non-governmental organizations, the following timing was proposed: 1 or 2 non-governmental organizations: 5 minutes; 3 to 5 non-governmental organizations: 7 minutes; 6 to 10 non-governmental organizations: 10 minutes; more than 10 non-governmental organizations: 12 minutes.

16. It was also agreed that under the agenda items concerning economic, social and cultural rights (item 10) and civil and political rights (item 11), two additional minutes might be given, at the discretion of the Chairperson, for oral statements by States members of the Commission and all observers, including NGOs.

17. It was further agreed that non-governmental organizations making joint statements might request to speak prior to non-governmental organizations speaking individually. In view of the limitation of six statements per non-governmental organization per session, participation by a non-governmental organization in a joint statement would count as one third of a normal statement. When a non-governmental organization which had participated in a joint statement

opted, in addition, to speak individually under the same agenda item, that would count as one third of a normal statement within the limit of six to which each non-governmental organization was entitled and such a statement should not exceed 2 1/2 minutes (i.e. one half of the time normally allotted). All non-governmental organizations participating in joint statements should be duly accredited as participants at the session concerned.

"Concerned countries"

18. The Commission also agreed that members of the Commission and observer States that were the subject of specific Commission reports or which were considered by the Bureau to be "concerned countries" would be given an additional five minutes over and above their normal speaking time under the relevant item.

Special procedures

19. Concerning statements by special rapporteurs/representatives/independent experts/chairpersons of working groups, it was agreed that they would be entitled to an introductory (initial) statement of 10 minutes, plus 2 additional minutes for each mission undertaken by thematic rapporteurs, and 5 minutes for their concluding remarks if they so requested. All special rapporteurs/representatives/independent experts/chairpersons of working groups were requested to be present in the conference room when their reports were being discussed and, to the extent possible, to be present throughout the consideration of the relevant agenda item(s). It was also agreed that question-and-answer sessions or briefings might be organized for special rapporteurs/representatives/independent experts/chairpersons of working groups (to be held parallel to the plenary or during the lunch hour).

Guest speakers

20. It was agreed that guest speakers (dignitaries) should limit their statements to 15 minutes, with the possibility for the Chairperson to add, at his discretion, up to 5 additional minutes.

Rights of reply

21. It was agreed that rights of reply would be limited to two replies, of three minutes for the first and two minutes for the second. All rights of reply might be exercised at the end of each meeting, at the end of the day (6 p.m.) or at the end of the general debate on any particular item.

National institutions

22. Concerning national human rights commissions (institutions) or coordinating committees of such commissions, it was agreed that they might only take the floor under the relevant agenda item (item 18 (b)) and make one statement of up to 7 minutes from special seats reserved for them. It was also agreed that copies of oral statements made by representatives of national institutions might be circulated in the conference room during the consideration of agenda item 18 (b) and that, if requested, information or reports received from national institutions on their regional meetings might be circulated as documents of the Commission.

Introduction of draft resolutions

23. It was also agreed that the introduction of draft resolutions by one of the sponsors should be limited to up to 5 minutes.

List of speakers

24. It was agreed that the list of speakers should be opened at the beginning of the session for all participants for inscription under all agenda items. Speakers should be inscribed on three separate lists: for members, for observers and for non-governmental organizations, and should always speak in that order. It was also agreed that delegations which inscribed themselves on the list of speakers should take the floor when their turn came. Changing places on the list of speakers would only be possible through a mutually agreed change ("switch") with another interested delegation belonging to the same category of participants, i.e. members, observer Governments, or non-governmental organizations. Non-governmental organizations inscribed on the list of speakers whose representatives were absent when their turn came to take the floor would not be allowed to take the floor under the agenda item in question. The closure of the list of speakers on any particular item(s) should be announced by the Chairperson in good time.

Draft resolutions and decisions

25. With regard to draft resolutions and decisions, it was agreed that they should be submitted, with due respect for editorial and other requirements, at least three working days before the date on which they were scheduled to be put to a vote. It was also agreed that the deadline for submission of draft resolutions be set by the Chairperson in consultation with the Bureau and announced in good time. Only in very exceptional cases would deadlines for the submission of draft resolutions be extended.

Quorum

26. Concerning the quorum, it was agreed that the Commission would normally dispense with the requirement of a quorum, except for meetings at which a vote was taken.

Points of order

27. With regard to points of order, the Commission agreed to continue to apply the ruling made by the Chairperson of its fifty-fifth session giving the observer for Palestine the right to raise points of order "relating to Palestinian and Middle East issues", provided that the right to raise such a point of order did not include the right to challenge a decision by the presiding officer. The right to raise points of order was also extended to representatives of States Members of the United Nations not members of the Commission on Human Rights but participating in its work in an observer capacity. The Commission also accepted the recommendation of its officers to continue to apply the ruling made by the Chairperson of its fifty-fourth session that recourse to points of order as a means of interrupting guest speakers would not be allowed.

Draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights

28. It was also agreed that all draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights should be considered under the relevant agenda items of the Commission.

Written statements submitted by non-governmental organizations

29. With regard to the written statements submitted by non-governmental organizations, it was agreed that all such statements submitted in sufficient time before the session should be circulated in the three working languages. Those statements which were not submitted on time might initially be circulated in their original language(s) only. They would be translated into the other working languages as soon as technically feasible, in accordance with Economic and Social Council resolution 1996/31.

Agenda items 3 and 4

30. With regard to agenda items 3, entitled "Organization of the work of the session", and 4, entitled "Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights", it was agreed that those items should remain open throughout the session.

Accreditation

31. With regard to national institutions for the promotion and protection of human rights, the practice of the Commission was confirmed according to which the representatives of such institutions were accredited by the secretariat as observers for the entire session of the Commission or less, on the basis of letters received from their respective institutions. The representatives of such institutions would be given the floor under agenda item 18 (b) irrespective of whether their particular institutions had been accredited by the Credentials Committee of the International Coordinating Committee on National Institutions as having fulfilled the elements spelled out in the Paris Principles, welcomed by General Assembly resolution 48/134.

32. With regard to the accreditation of non-governmental organizations, the practice has been confirmed that, pursuant to the Economic and Social Council resolution 1996/31, it is up to the non-governmental organizations themselves to designate authorized representatives to participate as observers in public meetings of the Commission on Human Rights.

33. The practice of so-called "multiple representation", when several non-governmental organizations are represented in the Commission by the same person has also been confirmed.

Other rules

34. It was confirmed that non-governmental organizations were not permitted to distribute documents, pamphlets or any other material in the conference room. All serious violations of that rule would be brought to the attention of the Bureau of the Commission.

35. The Commission accepted the recommendation of its officers that the Chairperson might, in cases where he deemed it appropriate, call on the members of the Commission and all participants in its work to ensure that the work was carried out in an orderly manner and in conditions of mutual respect.

36. In the general debate on agenda item 3, statements were made by members of the Commission and observers. For a list of speakers, see annex III.

Situation of human rights in Colombia

37. At the 59th meeting, on 17 April 2001, Ms. Mary Robinson, United Nations High Commissioner for Human Rights, introduced her report on the situation of human rights in Colombia (E/CN.4/2001/15).

38. At the same meeting, statements were made by members of the Commission and non-governmental organizations. The list of speakers appears in annex III to the present report.

39. At the 79th meeting, on 25 April 2001, the Chairperson, on behalf of the Commission, made a statement concerning the situation of human rights in Colombia. For the text, see paragraph 54 below.

Question of resources for the Office of the United Nations High Commissioner for Human Rights

40. At the 80th meeting, on 27 April 2001, the Chairperson orally proposed a draft decision concerning the question of resources for the Office of the United Nations High Commissioner for Human Rights.

41. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/119.

F. Meetings, resolutions and documentation

42. As indicated in paragraph 1 above, the Commission held 80 fully serviced meetings, including additional meetings, authorized by Economic and Social Council decision 1996/295 of 24 July 1996.

43. The resolutions and decisions adopted by the Commission at its fifty-seventh session are contained in chapter II of the present report. Draft resolutions and decisions for action by the

Economic and Social Council are set out in chapter I. For a list of resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

44. Annex III contains a list of speakers in the general debate on agenda items 3 to 20.

45. Annex IV contains a statement regarding the administrative and programme budget implications of resolutions and decisions adopted by the Commission at its fifty-seventh session.

46. Annex VI contains a list of documents issued for the fifty-seventh session of the Commission.

G. Visits

47. During its fifty-seventh session, the Commission heard statements by the following guest speakers:

(*a*) At the 2nd meeting, on 20 March 2001: Ms. Zeljka Antunovic, Deputy Prime Minister of Croatia; Mr. Paskal Milo, Minister for Foreign Affairs of Albania; Mr. Mohamed Aujjar, Minister for Human Rights of Morocco, in connection with whose statement a statement in exercise of the right of reply was made by the representative of Algeria, followed by a statement in exercise of the equivalent of the right of reply made by the observer for Morocco; Mr. Jorge Castañeda, Secretary of Foreign Relations of Mexico; Mr. Datuk Seri Syed Hamid Albar, Minister for Foreign Affairs of Malaysia; Ms. Anna Lindh, Minister for Foreign Affairs of Sweden (on behalf of the European Union; Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement); Mr. Oulai Siene, Minister of Justice and Public Liberty of Côte d'Ivoire;

(*b*) At the 3rd meeting, on 20 March 2001: Mr. Jaime Gama, Minister of State and for Foreign Affairs of Portugal;

(*c*) At the 4th meeting, on 21 March 2001: Mr. Serguei A. Ordzhonikidze, Deputy Minister for Foreign Affairs of the Russian Federation; Mr. Ruud Lubbers, United Nations High Commissioner for Refugees; Mr. Ignac Golob, State Secretary at the Ministry of Foreign Affairs of Slovenia; Mr. Michael Melchior, Deputy Minister for Foreign Affairs of Israel, in connection with whose statement statements in exercise of the equivalent of the right of reply were made by the observers for Lebanon and Palestine, followed by a statement in exercise of the equivalent of the right of reply by the observer for Israel; Ms. Kaori Maruya, Parliamentary Secretary for Foreign Affairs of Japan;

(*d*) At the 5th meeting, on 21 March 2001: Ms. N.C. Dlamini-Zuma, Minister for Foreign Affairs of South Africa; Mr. Louis Michel, Deputy Prime Minister and Minister for Foreign Affairs of Belgium; Mr. Bonaventure Chibamba Mutale, Attorney-General of Zambia; Mr. Amos Wako, Attorney-General of Kenya;

(*e*) At the 6th meeting, on 22 March 2001: Mr. Martin Palous, Deputy Minister for Foreign Affairs of the Czech Republic; Mr. Oskaras Jusys, Vice-Minister for Foreign Affairs of Lithuania; Mr. Igor Rogov, Minister of Justice of Kazakhstan; Mr. Josep Piqué, Minister for Foreign Affairs of Spain; Mr. John Battle, Minister of State at the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland. At the 7th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of China, and a statement in exercise of the equivalent of the right of reply was made by the observer for Zimbabwe in connection with the statement made by Mr. John Battle; Ms. Grazyna Bernatowicz, Vice-Minister for Foreign Affairs of Poland; Mr. Lubomír Fogas, Vice-Prime Minister of Slovakia;

(*f*) At the 7th meeting, on 22 March 2001: Mr. Sule Lamido, Minister for Foreign Affairs of Nigeria;

(*g*) At the 9th meeting, on 23 March 2001: Mr. Nguyen Tam Chien, Deputy Minister for Foreign Affairs of Viet Nam; Mr. Guillermo Valles, Vice-Minister for Foreign Affairs of Uruguay;

(*h*) At the 10th meeting, on 23 March 2001: Ms. Shahida Jamil, Minister of Law, Justice and Human Rights of Pakistan, in connection with whose statement a statement in exercise of the right of reply was made by the representative of India, followed by a statement in exercise of the right of reply by the representative of Pakistan;

(*i*) At the 14th meeting, on 27 March 2001: Mr. Agbéyomé Messan Kodjo, Prime Minister of Togo; Ms. Benita Ferrero-Waldner, Minister for Foreign Affairs of Austria; Mr. Joschka Fischer, Minister for Foreign Affairs of Germany, in connection with whose statement a statement in exercise of the right of reply was made by the representative of China; Mr. Felipe Pérez Roque, Minister for Foreign Affairs of Cuba. At the 15th meeting, on the same day, a statement in exercise of the right of reply was made by the representative of the United States of America in connection with the statement made by Mr. Pérez Roque, followed by a statement in exercise of the right of reply by the representative of Cuba; Mr. Diego Garcia-Sayan Larrabure, Minister of Justice of Peru; Mr. Gustavo Bell Lemus, Vice-President of Colombia;

(*j*) At the 15th meeting, on 27 March 2001: Mr. A. Abdullah, Minister for Foreign Affairs of Afghanistan;

(*k*) At the 19th meeting, on 28 March 2001: Mr. George Chicoti, Vice-Minister for Foreign Affairs of Angola; Mr. Michalis Attalides, Permanent Secretary of the Ministry of Foreign Affairs of Cyprus, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Turkey, followed by a statement in exercise of the equivalent of the right of reply by the observer for Cyprus;

(*l*) At the 21st meeting, on 29 March 2001: Mr. Thorbjörn Jagland, Minister for Foreign Affairs of Norway; Mr. Milovan Blagojevic, Deputy Minister for Foreign Affairs of Bosnia and Herzegovina; Mr. Abdurraham Shalgam, Secretary of the General People's

Committee for Foreign Liaisons and International Cooperation of the Libyan Arab Jamahiriya, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Israel; Ms. Lydie Polfer, Vice-Prime Minister and Minister for Foreign Affairs of Luxembourg;

(*m*) At the 22nd meeting, on 29 March 2001: Mr. Pierre-Henri Imbert, Director-General of Human Rights of the Council of Europe; Mr. Eugène Nindorera, Minister of Human Rights, Institutional Reforms and Relations with the National Assembly of Burundi;

(*n*) At the 25th meeting, on 30 March 2001: Mr. Moritz Leuenberger, President of the Swiss Confederation; Mr. Kofi Annan, Secretary-General of the United Nations; Mr. Jacques Chirac, President of the French Republic; Mr. Vojislav Kostunica, President of the Federal Republic of Yugoslavia; Mr. Joseph Kabila, President of the Democratic Republic of the Congo; Mr. Mircea Geoana, Minister for Foreign Affairs of Romania; Mr. Nabeel Shaath, Minister of Planning and International Cooperation in the Palestinian National Authority; Mr. János Martonyi, Minister for Foreign Affairs of Hungary; Mr. Mucyo Jean de Dieu, Minister of Justice and Institutional Relations of Rwanda;

(*o*) At the 28th meeting, on 2 April 2001: Mr. Surakiart Sathirathai, Minister for Foreign Affairs of Thailand; Mr. Ali Mohamed Al-Anisi, Chairperson of the Presidential Office, Vice-President of the Supreme National Committee for Human Rights of Yemen; Mr. Ali Mohamed Yassin Osman, Minister of Justice of the Sudan; Mr. Abdelouahed Belkeziz, Secretary-General of the Organization of the Islamic Conference, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Israel;

(*p*) At the 32nd meeting, on 3 April 2001: Mr. Friis A. Petersen, Permanent Secretary, Ministry of Foreign Affairs of Denmark;

(*q*) At the 36th meeting, on 4 April 2001: Mr. Rodolphe Adada, Minister for Foreign Affairs of the Republic of the Congo;

(*r*) At the 39th meeting, on 5 April 2001: Mr. Vladimir Kalamanov, Special Representative of the President of the Russian Federation on the Protection of Human and Civil Rights in the Chechen Republic;

(*s*) At the 40th meeting, on 5 April 2001: Mr. Ugo Intini, Deputy Minister for Foreign Affairs of Italy; Mr. Jozias van Aartsen, Minister for Foreign Affairs of the Netherlands;

(*t*) At the 42nd meeting, on 6 April 2001: Mr. Cándido Muatetema Rivas, Prime Minister of Equatorial Guinea;

(*u*) At the 44th meeting, on 9 April 2001: Mr. Joseph Philippe Antonio, Minister for Foreign Affairs of Haiti;

(*v*) At the 47th meeting, on 10 April 2001: Mr. Boris Trajkovski, President of the former Yugoslav Republic of Macedonia. At the 48th meeting, on the same day, a statement in exercise of the equivalent of the right of reply was made by the observer for Albania in connection with the statement made by Mr. Trajkovski; Mr. Víctor Hugo Godoy, Secretary of State for Human Rights of Guatemala;

(*w*) At the 50th meeting, on 11 April 2001: Mr. Peter Piot, Executive Director of the Joint United Nations Programme on HIV/AIDS (UNAIDS);

(*x*) At the 54th meeting, on 12 April 2001: Mr. Said Al-Sahaf, Minister for Foreign Affairs of Iraq. At the 55th meeting, on the same day, statements in exercise of the right of reply were made by the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America in connection with the statement made by Mr. Al-Sahaf, followed by a statement in exercise of the equivalent of the right of reply was made by the observer for Iraq;

(*y*) At the 59th meeting, on 17 April 2001: Mr. Tatoul Margarian, Deputy Minister for Foreign Affairs of Armenia, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the observer for Azerbaijan, followed by a statement in exercise of the equivalent of the right of reply by the observer for Armenia;

(*z*) At the 64th meeting, on 19 April 2001: Ms. Jeannette Dethoua, High Commissioner for Human Rights of the Central African Republic.

H. Organization of the work of the fifty-eighth session of the Commission

48. At the 80th meeting, on 27 April 2001, the Chairperson orally proposed a draft decision concerning the dates of the fifty-eighth session of the Commission.

49. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/117.

50. At the same meeting, the Chairperson orally proposed a draft decision concerning the organization of the work of the fifty-eighth session of the Commission (additional meetings).

51. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/118.

I. Concluding remarks

52. At the 80th meeting, on 27 April 2001, concluding remarks were made by the following speakers:

(*a*) Ms. Mary Robinson, United Nations High Commissioner for Human Rights;

(*b*) Mr. Leandro Despouy, Chairperson of the fifty-seventh session of the Commission on Human Rights;

(*c*) The representative of Kenya (on behalf of the Group of African States);

(*d*) The representative of Algeria (on behalf of the Group of Arab States);

(*e*) The representative of India (on behalf of the group of Asian States);

(*f*) The representative of Latvia (on behalf of the Group of Eastern European States);

(*g*) The representative of Mexico (on behalf of the Group of Latin American and Caribbean States);

(*h*) The representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the Group of Western European and other States).

53. Concluding remarks were also made by the representatives of the Russian Federation and the United States of America.

Chairperson's statement

54. During the consideration of agenda item 3, the Chairperson made a statement, the text of which reads as follows:

"Situation of human rights in Colombia

> "1. The Commission on Human Rights takes note of the willingness of the Government of Colombia to allow the Office of the High Commissioner for Human Rights in Colombia to carry out its mandate and conduct its activities without any impediments. It also notes the obstacles which the Office has experienced in maintaining a fluid and effective dialogue with the Government on a constant and uniform basis, as well as the commitment of the Government to intensify this dialogue and work together with the Office, granting it all the necessary security guarantees. The Commission urges the Government to further strengthen its efforts actively to cooperate with the Office to realize the full potential of its mandate. It welcomes the analytical report of the High Commissioner for Human Rights on the situation of human rights in Colombia (E/CN.4/2001/15) and takes note of a document containing the observations of the Government of Colombia on that report (E/CN.4/2001/139).
>
> "2. The Commission firmly supports the agreement between the Government of Colombia and the High Commissioner for Human Rights to extend the mandate of the permanent Office in Bogotá until April 2002. The Commission continues to consider that the Office, which is mandated to promote and protect human rights and observe violations of human rights in the country, as well as to assist the Colombian authorities in developing policies and programmes, plays a vital role in the work against ongoing violations of human rights and international humanitarian law in Colombia. It reaffirms its belief that a wider presence of the Office is of utmost importance in this work and encourages the opening of field offices in Colombia.

"3. Though progress in certain areas is to be acknowledged, the Commission strongly believes that the Government of Colombia has to take further and more effective measures to follow up and fully implement the recommendations of the Office. The Commission urges the Government to undertake decisive steps to ensure the fulfilment of these recommendations. The Commission believes that further cooperation with United Nations human rights mechanisms continues to be a valuable support in the Government's efforts to promote and protect human rights in the country.

"4. The Commission expresses its strong support for the peace process in Colombia and notes progress in the negotiations with the Revolutionary Armed Forces of Columbia (FARC) and the National Liberation Army (ELN). The Commission further expresses its support for the efforts made to turn the peace process into a State policy. The Commission welcomes the parties' decision to involve the international community more directly in the negotiations and greatly encourages further efforts to ensure the active involvement of the civil society in the peace process. The Commission reiterates its deep concern about the lack of a permanent ceasefire and about the grave and persistent abuses of international humanitarian law, mainly by "paramilitaries" (also known as "self-defence groups" or *autodefensas*) and guerrillas, which obstruct progress in the peace process. It calls upon all parties to respect international humanitarian law and, in particular, to protect the civilian population.

"5. Considering that respect for human rights and the observance of international humanitarian law plays a key role in the process towards a sustainable peace, the Commission calls on the parties to the conflict to reach, as a priority, a comprehensive human rights and humanitarian agreement, faithfully reflecting all provisions of applicable law, including an independent mechanism of verification, as well as to address the question of how victims of the violations of human rights and international humanitarian law can be acknowledged. The Commission notes that the Government of Colombia, through its Office of the High Commissioner for Peace, has stated that it is willing to discuss specific terms of the proposal for such an agreement with the Office of the High Commissioner for Human Rights in Colombia in order to make an independent evaluation of its relevance, timing and effectiveness, in the context of the dialogue with the insurgent groups.

"6. The Commission strongly deplores the persistence of serious and frequent violations of human rights and of international humanitarian law. In particular, it condemns in unequivocal terms the serious, massive and systematic abuses and grave breaches of international humanitarian law perpetrated by paramilitary and guerrilla groups. The Commission is deeply concerned that these violations and abuses have led to a further deterioration of the human rights and humanitarian situation in Colombia. It further condemns all attacks on objects serving a medical purpose, including threats directed at medical personnel, control of health facilities and attacks on ambulance vehicles.

"7. The Commission also strongly deplores the persistence of impunity in Colombia, especially in regard to human rights violations, and the alleged links between military and paramilitaries, which are a fundamental obstacle to the observance and implementation of human rights and international humanitarian law in the country. In this context, it notes the Standing Inter-sectoral Commission for the Coordination and Follow-up of National Human Rights and International Humanitarian Law Policy as well as the Presidential Programme for the Promotion, Respect and Guarantee of Human Rights and of the Application of International Humanitarian Law. The Commission calls upon the Government of Colombia to effectively follow up these initiatives in order to define and implement actions aimed at resolving the serious situation of impunity.

"8. The Commission notes Law 589 criminalizing forced disappearances, genocide, forced displacement and torture, as well as the Presidential Order of August 2000 instructing all the military tribunals to comply fully with the Constitutional Court ruling regarding the exclusion of their jurisdiction over conduct related to genocide, torture and enforced disappearances and other related violations of human rights. In this context, the Commission underlines that it is important that cases of violation of human rights or infringements of international humanitarian law are tried by civilian courts and that the provisions of the new Military Code and the new Ordinary Criminal Code are interpreted and applied in conformity with the relevant international standards and with the clear criteria established by the decisions of the Colombian Constitutional Court. The Commission urges the Government of Colombia to take further effective measures to address the problem of impunity and takes note of the expressed will of the Government of Colombia to ratify the Rome Statute of the International Criminal Court.

"9. The Commission takes note of improvements in the human rights performance of the armed forces but remains concerned at continued reports of human rights violations attributed to the armed and security forces. While the Commission notes the legal mechanisms which have led to the dismissal of military personnel in a discretionary manner, it urges the Government of Colombia to further ensure that the members of State forces against whom credible allegations exist are suspended, whilst speedy investigations are undertaken in order to bring those responsible to civilian justice.

"10. The Commission strongly condemns all acts of terrorism and all breaches of international humanitarian law committed by the guerrilla groups, particularly killings and attacks on the civilian population. In this context the Commission also strongly condemns continued systematic kidnapping, especially abhorrent when directed at children. It remains deeply concerned at the continued use of child soldiers and anti-personnel landmines, as well as other non-conventional explosive devices, by the guerrillas. The Commission condemns the continued mass abductions and destruction of power lines by the ELN. It also condemns the killing of civilians, even in the demilitarized zone created as the legitimate scene for the negotiations, as well as the continuing kidnapping by the FARC. It calls upon the guerrilla groups to respect international humanitarian law and to engage effectively in serious and concrete peace talks with the Government of Colombia and to agree upon a comprehensive human rights and humanitarian agreement in order to pave the way to a complete ceasefire and as a first step towards a peace agreement.

"11. The Commission remains deeply concerned about the continuing grave abuses of human rights and breaches of international humanitarian law committed by the paramilitary groups, including murder and massacres. The Commission is also deeply concerned at reports involving members of State forces who collaborate with paramilitary groups and consent to or acquiesce in criminal acts such as killings of civilians. The Commission urges the Government of Colombia to take more effective steps to combat and suppress paramilitary groups and to step up actions against the economic networks which support them, as well as to intensify political, administrative, judicial and other appropriate measures with respect to official bodies, members of the armed forces and individuals suspected of supporting paramilitary groups. In this context, the Commission in particular urges the Government of Colombia to take prompt and effective measures after receiving "early warnings" in order to save lives and prevent crimes from being committed. The Commission is encouraged by the creation of a National Coordination Centre set up to coordinate all State activities to combat the paramilitaries in all their forms and calls upon the Government of Colombia to make sure that these and other related measures are effectively implemented and to ensure that those responsible are brought to civilian justice.

"12. The Commission takes note of the announcement of the Six-Point Plan put forward by the Government of Colombia in January 2001 to tackle paramilitary groups. Concrete action is now required. The Commission will closely monitor the Plan's implementation by the Colombian authorities.

"13. The Commission welcomes the signature by the Government of Colombia of the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography, as well as the ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (2000), and encourages the Government to ratify the two Optional Protocols and implement them as soon as possible. The Commission also encourages the Government of Colombia to recognize the competence of the committees established under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, as well as to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

"14. The Commission welcomes the invitation by the Government of Colombia to the Special Rapporteur on extrajudicial, summary and arbitrary executions and the Working Group on Enforced or Involuntary Disappearances and that it will invite the Special Rapporteur on freedom of opinion and expression and the Special Representative of the Secretary-General on human rights defenders to visit the country this year. The Commission looks forward to their reports.

"15. The Commission strongly condemns the persistent and dramatically increasing attacks against human rights defenders, as well as trade unionists, persons working within the justice system, journalists, academics, students, professors and others exercising their freedom of expression, thus closing legitimate channels for democratic participation. The Commission acknowledges that the Government of Colombia has taken measures to address the problem, such as the Special Protection Programme for Witnesses and Threatened Persons under the Ministry of the Interior. However, the Commission remains seriously concerned about the slow pace of judicial investigations into crimes against human rights defenders and about the limitations of administrative, security and financial resources to protect those social and human rights defenders who find themselves at risk. In this context, the Commission welcomes the Government's determination to continue its close cooperation with the Special Representative of the Director-General of the International Labour Organization for cooperation with Colombia.

"16. The Commission urges the Government of Colombia promptly to take all the necessary measures to implement effectively programme and policies, with the support of the Office of the High Commissioner for Human Rights, including to make further progress in the implementation of a National Action Plan, to tackle impunity and, in particular, to address concerns related to the safety of groups in need of special protection, such as human rights defenders and trade unionists.

"17. The Commission strongly condemns all threats, attacks and killings of candidates in local elections and others involved in peaceful political activities by guerrillas and paramilitary groups. It calls upon all parties to respect those exercising their political rights. The Commission notes with appreciation the significant institutional effort of the Colombian State and Government in successfully holding local elections in October 2000, which proves once again the unfailing commitment to adhere to democratic rule.

"18. The Commission notes with concern the concluding observations (CRC/C/15/Add.137) of the Committee on the Rights of the Child stating, *inter alia*, that the general climate of violence in Colombia is not only negatively affecting the implementation of the Convention but has also led to systematic violations of the rights of the child. It welcomes the prohibition of recruitment of children under the age of 18 into the armed forces. The Commission firmly condemns the forcible recruitment of a large number of children into paramilitary and guerrilla groups. The Commission encourages the Government of Colombia to follow up on the recommendations made by the Committee.

"19. The Commission deplores attacks against indigenous and Afro-Colombian communities and exhorts all actors to respect the special cultural status of minorities. It calls upon the Government of Colombia to take urgent effective steps for the improvement of the legal and physical protection of the affected groups and to develop and implement programmes that effectively address the specific needs of these exposed communities in accordance with the recommendations of the Committee on the Elimination of Racial Discrimination.

"20. The Commission takes note of the acknowledgement by the Government of Colombia of its responsibility to address the situation of the internally displaced and of the progress made in creating the relevant legal and institutional frameworks. The Commission, however, remains deeply concerned about the deterioration of the situation of internally displaced persons in Colombia and the increase in their numbers. The Commission calls upon the Government of Colombia to urgently and effectively implement additional strategies, based on the recommendations made by the Representative of the Secretary-General on internally displaced persons after the follow-up mission to Colombia in 1999, designed to protect internally displaced persons, in particular children, and to ensure their safe return. In this regard it encourages further cooperation and coordination between the Colombian authorities, international bodies, especially UNHCR and ICRC, and NGOs. It encourages the Government of Colombia to continue to seek effective means to eradicate the causes of displacement, assuring further concrete results, including bringing those responsible for causing displacement to justice. The Commission calls upon the Government of Colombia to implement preventive measures, including an effective system of early warning.

"21. The Commission is also concerned over the poor prison conditions and at reports of abuses of the detainees' human rights and requests the Office of the High Commissioner for Human Rights in Colombia to follow this situation with a view to providing advice and cooperation to the Colombian authorities. It welcomes the visits carried out by international humanitarian organizations and emphasizes the importance of allowing them access to all detainees. It encourages the Government of Colombia to proceed with the reform of the *Código penitenciario y carcelario*. It calls upon the Government to adopt measures to fulfil international standards regarding prisoners and to protect the human rights of all detainees.

"22. The Commission requests the High Commissioner for Human Rights to submit to it at its next session a detailed report containing an analysis by her Office of the situation of human rights in Colombia in accordance with the agreement between the Government of Colombia and the Office of the United Nations High Commissioner for Human Rights on the operation of the permanent Office in Bogotá."

IV. Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights

55. The Commission considered agenda item 4 at its 3rd meeting, on 20 March, and at the 4th and 5th meetings, on 21 March 2001.

56. For the documents issued under agenda item 4, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

57. At the 3rd meeting, on 20 March 2001, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, introduced her report (E/CN.4/2001/16).

58. In the general debate on agenda item 4, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

V. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

59. The Commission considered agenda item 5 at its 5th meeting, on 21 March, at its 6th to 8th meetings, on 22 March, and at its 43rd meeting, on 6 April 2001.

60. For the documents issued under agenda item 5, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

61. At the 6th meeting, on 22 March 2001, Mr. Enrique Bernales Ballesteros, Special Rapporteur on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, introduced his report (E/CN.4/2001/19). At the 8th meeting, on 22 March, the Special Rapporteur made his concluding remarks.

62. In the general debate on agenda item 5, statements were made by members of the Commission, observers and non-governmental organizations. For a detailed list of speakers, see annex III.

Question of Western Sahara

63. At the 43rd meeting, on 6 April 2001, the Chairperson introduced draft resolution E/CN.4/2001/L.3.

64. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/1.

65. After the adoption of the resolution, the representative of the United States of America made a statement in explanation of her delegation's position.

Situation in occupied Palestine

66. At the 43rd meeting, the representative of Saudi Arabia introduced draft resolution E/CN.4/2001/L.4, sponsored by Algeria, Bahrain, Bangladesh, China, Cuba, Egypt, Indonesia, Jordan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Morocco, Niger, Oman, Pakistan, Palestine, Qatar, Saudi Arabia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen. Lebanon, Turkey and Viet Nam subsequently joined the sponsors.

67. Statements in connection with the draft resolution were made by the observers for Israel and Palestine.

68. Statements in explanation of vote before the vote were made by the representatives of Guatemala and the United States of America.

69. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 48 votes to 2, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, India, Indonesia, Italy, Japan, Kenya, Latvia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Guatemala, United States of America.

Abstaining: Canada, Romania.

70. Statements in explanation of vote after the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia and Poland, aligned themselves with the Statement) and Canada.

71. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/2.

The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

72. Also at the 43rd meeting, the representative of Cuba introduced draft resolution E/CN.4/2001/L.5, sponsored by Algeria, Angola, Cameroon, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Iraq, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Nigeria, the Republic of the Congo, the Sudan, Swaziland, the Syrian Arab Republic, Togo, Tunisia, the United Republic of Tanzania, Viet Nam and Yemen. Costa Rica, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, India and the Russian Federation subsequently joined the sponsors.

73. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

74. At the request of the representative of Belgium, a roll-call vote was taken on the draft resolution, which was adopted by 35 votes to 11, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, Germany, Japan, Latvia, Norway, Poland, Romania, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: France, Italy, Portugal, Republic of Korea, Saudi Arabia, Spain.

75. A statement in explanation of vote after the vote was made by the representative of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the Statement).

76. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/3.

VI. Racism, racial discrimination, xenophobia and all forms of discrimination

77. The Commission considered agenda item 6 at its 8th meeting, on 22 March, at its 9th and 10th meetings, on 23 March, at its 11th to 13th meetings, on 26 March, at its 14th and 15th meetings, on 27 March, and at its 61st meeting, on 18 April 2001.

78. For the documents issued under agenda item 6, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V to the present report.

79. At the 8th meeting, on 22 March 2001, a statement was read out by a member of the secretariat on behalf of Mr. Maurice Glèlè-Ahanhanzo, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in connection with the Special Rapporteur's report (E/CN.4/2001/21 and Corr.1).

80. In the general debate on agenda item 6, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III.

Special debate on tolerance and respect

81. At its 11th to 13th meetings, on 26 March 2001, the Commission held a special debate on tolerance and respect.

82. The special debate was opened by Mr. Leandro Despouy, Chairperson of the Commission at its fifty-seventh session, who made a statement.

83. Ms. Mary Robinson, United Nations High Commissioner for Human Rights, made a statement.

84. The debate was introduced by a panel of six key speakers:

(a) Archbishop Desmond Tutu, South Africa;

(b) Senator Aden Ridgeway, member of Parliament, Australia;

(c) Sheikh Sahib Ben Sheikh, Mufti of Marseille, France;

(d) Ms. Nafis Sadik, Under-Secretary-General and Special Adviser to the Secretary-General;

(e) Mr. Dominique Peccoud, Special Adviser at the Bureau for External Relations and Partnerships of the International Labour Organization;

(f) Ms. Cecilia Braslavsky, Director of the International Bureau of Education of the United Nations Educational, Scientific and Cultural Organization at Geneva.

85. During the special debate, statements were also made by members of the Commission, observers and non-governmental organizations. For a detailed list of speakers, see annex III.

86. In an interactive dialogue, the panel of speakers made remarks and responded to statements made.

87. At the end of the special debate, concluding remarks were made by the Chairperson of the Commission.

Combating defamation of religions as a means to promote human rights, social harmony and religious and cultural diversity

88. At the 61st meeting, on 18 April 2001, the representative of Pakistan introduced draft resolution E/CN.4/2001/L.7/Rev.1, sponsored by Pakistan (on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference).

89. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland), Canada (also on behalf of Norway), India and the Russian Federation.

90. At the request of Belgium, a roll-call vote was taken on the draft resolution, which was adopted by 28 votes to 15, with 9 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Cameroon, China, Colombia, Costa Rica, Cuba, Ecuador, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Burundi, Guatemala, India, Liberia, Nigeria, Republic of Korea, South Africa, Swaziland, Zambia.

91. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/4.

Racism, racial discrimination, xenophobia and related intolerance

92. Also at the 61st meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.9, sponsored by Austria, Belgium, China, Cuba, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Kenya (on behalf of the Group of African States),

Luxembourg, the Netherlands, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Australia, Brazil, Canada, Costa Rica, the Czech Republic, Ecuador, El Salvador, Georgia, India, Indonesia, Israel, Japan, Liechtenstein, Mexico, New Zealand, Nicaragua, Norway, Poland, Slovakia, Slovenia, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Uruguay and Venezuela subsequently joined the sponsors.

93. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/5.

VII. The right to development

94. The Commission considered agenda item 7 at its 15th to 17th meetings, on 27 March, and at its 62nd meeting, on 18 April 2001.

95. For the documents issued under agenda item 7, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

96. At the 15th meeting, on 27 March 2001, the Chairperson-Rapporteur of the Open-Ended Working Group on the Right to Development, Mr. Mohammed-Salah Dembri, introduced the report of the working group on its first and second sessions (E/CN.4/2001/26).

97. Also at the 15th meeting, the independent expert on the right to development, Mr. Arjun Sengupta, made a statement.

98. In the general debate on agenda item 7, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

The right to development

99. At the 62nd meeting, on 18 April 2001, the representative of South Africa introduced draft resolution E/CN.4/2001/L.15, sponsored by Mexico and South Africa (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China). Brazil, Burundi, Colombia, Costa Rica, the Dominican Republic, El Salvador, Haiti, Nicaragua and Uruguay subsequently joined the sponsors.

100. Paragraphs 1, 10, 21 and 22 of the draft resolution were orally revised by the representative of South Africa.

101. A statement in connection with the draft resolution, as orally revised, was made by the representative of Belgium (on behalf of the European Union).

102. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

103. Statements in explanation of vote before the vote were made by the representatives of Canada, Japan, Norway, the Republic of Korea, United Kingdom of Great Britain and Northern Ireland and the United States of America.

104. The representative of Canada proposed that a separate vote be held to delete paragraph 10 of the draft resolution. At the request of the representative of South Africa, a roll-call vote was taken on the proposal of the representative of Canada, which was rejected by 45 votes to 4, with 4 abstentions. The voting was as follows:

In favour: Canada, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Portugal, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Abstaining: Norway, Poland, Republic of Korea, Romania.

105. The representative of Canada proposed that a separate vote be held to delete paragraph 21 of the draft resolution. At the request of the representative of South Africa, a roll-call vote was taken on the proposal of the representative of Canada, which was rejected by 43 votes to 6, with 4 abstentions. The voting was as follows:

In favour: Canada, Germany, Japan, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Guatemala, India, Indonesia, Italy, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Portugal, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Abstaining: Latvia, Norway, Republic of Korea, Romania.

106. The representative of Canada proposed that a separate vote be held to delete paragraph 22 of the draft resolution. At the request of the representative of South Africa, a roll-call vote was taken on the proposal of the representative of Canada, which was rejected by 44 votes to 5, with 4 abstentions. The voting was as follows:

In favour: Canada, Japan, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Portugal, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Abstaining: Latvia, Norway, Republic of Korea, Romania.

107. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/2001/L.15 as a whole, as orally revised, which was adopted by 48 votes to 2, with 3 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Japan, United States of America.

Abstaining: Canada, Republic of Korea, United Kingdom of Great Britain and Northern Ireland.

108. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/9.

VIII. Question of the violation of human rights in the occupied Arab territories, including Palestine

109. The Commission considered agenda item 8 at its 19th to 22nd meetings, on 28 March and 29 March, and at its 61st meeting, on 18 April 2001.

110. For the documents issued under agenda item 8, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

111. At the 19th meeting, on 28 March 2001, a statement was read out by a member of the secretariat on behalf of Mr. Giorgio Giacomelli, Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967, in connection with the Special Rapporteur's report (E/CN.4/2001/30).

112. At the same meeting, the report of the human rights inquiry commission established pursuant to Commission resolution S-5/1 of 19 October 2000 (E/CN.4/2001/121) was introduced by Mr. John Dugard and Mr. Kamal Hossain, Chairperson and member of the inquiry commission, respectively. At the 22nd meeting, on 29 March 2001, Mr. Richard Falk, also member of the inquiry commission, made concluding remarks on behalf of the inquiry commission.

113. Also at the 19th meeting, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, introduced her report on her visit to the occupied Palestinian territories, Israel, Egypt and Jordan from 8 to 16 November 2000 (E/CN.4/2001/114).

114. In the general debate on agenda item 8, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Human rights in the occupied Syrian Golan

115. At its 61st meeting, on 18 April 2001, the representative of the Syrian Arab Republic introduced draft resolution E/CN.4/2001/L.6, sponsored by Algeria, Bahrain, Cuba, the Democratic People's Republic of Korea, Egypt, Indonesia, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Oman, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, the United Arab Emirates and Yemen. Bangladesh, Lebanon, Mauritania, Morocco and Tunisia subsequently joined the sponsors.

116. Statements in connection with the draft resolution were made by the representative of the Syrian Arab Republic and the observer for Israel.

117. Statements in explanation of vote before the vote were made by the representatives of China and Guatemala.

118. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 29 votes to 2, with 21 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Burundi, China, Colombia, Cuba, Ecuador, India, Indonesia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.

Against: Guatemala, United States of America.

Abstaining: Belgium, Brazil, Cameroon, Canada, Costa Rica, Czech Republic, France, Germany, Italy, Japan, Kenya, Latvia, Liberia, Norway, Peru, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay.

119. A statement in explanation of vote after the vote was made by the representative of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement).

120. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/6.

Question of the violation of human rights in the occupied Arab territories, including Palestine

121. Also at its 61st meeting, the representative of Algeria introduced draft resolution E/CN.4/2001/L.30, sponsored by Algeria, Bahrain, China, Cuba, Egypt, Equatorial Guinea, Gabon, Indonesia, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Niger, Oman, Pakistan, Palestine, Qatar, Rwanda, Saudi Arabia, Tunisia, the United Arab Emirates, Viet Nam and Yemen. Bangladesh, Madagascar, South Africa and Sudan subsequently joined the sponsors.

122. Statements in connection with the draft resolution were made by the representatives of Indonesia, Kenya (on behalf of the Group of African States), Malaysia and Pakistan, and the observers for Israel and Palestine.

123. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

124. Statements in explanation of vote before the vote were made by the representatives of Guatemala and the United States of America.

125. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 28 votes to 2, with 22 abstentions. The voting was as follows:

In favour: Algeria, Brazil, China, Colombia, Cuba, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.

Against: Guatemala, United States of America.

Abstaining: Argentina, Belgium, Burundi, Cameroon, Canada, Costa Rica, Czech Republic, Ecuador, France, Germany, Italy, Japan, Latvia, Liberia, Norway, Poland, Portugal, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay.

126. Statements in explanation of vote after the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement), India, Japan.

127. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/7.

Israeli settlements in the occupied Arab territories

128. Also at its 61st meeting, the observer for Sweden (on behalf of the European Union), introduced draft resolution E/CN.4/2001/L.31, sponsored by Austria, Belarus, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jordan, Liechtenstein, Malta, Morocco, the Netherlands, New Zealand, Portugal, San Marino, Saudi Arabia, South Africa, Spain, the Sudan, Sweden, Switzerland, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland. Algeria, Ecuador, Indonesia, Japan, Luxembourg, Madagascar, Malaysia, Pakistan, Qatar and Slovakia subsequently joined the sponsors.

129. Statements in connection with the draft resolution were made by the observers for Israel and Palestine.

130. At the request of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 50 votes to 1, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, China, Colombia, Cuba, Czech Republic, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: United States of America.

Abstaining: Costa Rica.

131. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/8.

IX. Question of the violation of human rights and fundamental freedoms in any part of the world, including:

(*a*) Question of human rights in Cyprus;

(*b*) Procedure established in accordance with Economic and Social Council resolutions 1503 (XLVIII) and 2000/3

132. The Commission considered agenda item 9 and sub-item (*a*) at its 22nd to 24th meetings, on 29 March, at its 26th meeting, on 30 March, at its 28th to 31st meetings, on 2 April, at its 39th meeting, on 5 April, at its 43rd meeting, on 6 April, at its 44th meeting, on 9 April, at its 62nd and 63rd meetings, on 18 April, and at its 68th to 70th meetings, on 20 April 2001. Item 9 (*b*) was considered by the Commission in closed session (see paras. 235-238 below).

133. For the documents issued under agenda item 9, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

134. At the 22nd meeting, on 29 March 2001, the following special rapporteurs introduced their reports:

(*a*) The Special Rapporteur on the situation of human rights in Afghanistan, Mr. Kamal Hossain (E/CN.4/2001/43 and Add.1);

(*b*) The Special Rapporteur on the situation of human rights in the Sudan, Mr. Gerhart Baum (E/CN.4/2001/48).

135. At the 23rd meeting, on 29 March 2001, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, introduced her report on the situation in the Republic of Chechnya of the Russian Federation (E/CN.4/2001/36).

136. Also at the 23rd meeting:

(*a*) The Special Representative of the Commission on the situation of human rights in the Islamic Republic of Iran, Mr. Maurice Copithorne, introduced his report (E/CN.4/2001/39);

(*b*) The Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), Mr. Jiri Dienstbier, introduced his report (E/CN.4/2001/47 and Add.1);

(*c*) The Special Rapporteur on the situation of human rights in Burundi, Ms. Marie-Thérèse Kéita-Bocoum, introduced her report (E/CN.4/2001/44);

(*d*) The Special Representative of the Commission on the situation of human rights in Rwanda, Mr. Michel Moussalli, introduced his report (E/CN.4/2001/45 and Add.1 and Corr.1);

(*e*) The Special Rapporteur on the situation of human rights in Iraq, Mr. Andreas Mavrommatis, introduced his report (E/CN.4/2001/42).

137. At the 28th meeting, on 2 April 2001, the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garretón, introduced his report (E/CN.4/2001/40 and Add.1). At the 29th meeting, on the same day, the Special Rapporteur made his concluding remarks.

138. At the 29th meeting, on 2 April 2001, the Special Representative of the Commission on the situation of human rights in Equatorial Guinea, Mr. Gustavo Gallón, introduced his report (E/CN.4/2001/38).

139. At the 39th meeting, on 5 April 2001, Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General to East Timor and Transnational Administrator, made a statement.

140. At the 43rd meeting, on 6 April 2001, Mr. Paulo Sérgio Pinheiro, Special Rapporteur on the situation of human rights in Myanmar, made a statement.

141. In the general debate on agenda item 9, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Human rights situation of the Lebanese detainees in Israel

142. At the 62nd meeting, on 18 April 2001, the representative of Saudi Arabia introduced draft resolution E/CN.4/2001/L.2/Rev.1, sponsored by Algeria, Bahrain, Cuba, Egypt, Indonesia, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Tunisia, Viet Nam and Yemen. The Syrian Arab Republic and the United Arab Emirates subsequently joined the sponsors.

143. Statements in connection with the draft resolution were made by the observers for Israel and Lebanon.

144. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement), the Republic of Korea and the United States of America.

145. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 33 votes to 1, with 19 abstentions. The voting was as follows:

In favour:	Algeria, Argentina, Brazil, Burundi, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.
Against:	United States of America.
Abstaining:	Belgium, Cameroon, Canada, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Liberia, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland.

146. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/10.

Situation of human rights in China

147. Also at the 62nd meeting, the representative of the United States of America introduced draft resolution E/CN.4/2001/L.13, sponsored by the United States of America. The draft resolution read as follows:

"Situation of human rights in China

"*The Commission on Human Rights*,

"*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights and other human rights instruments to which they are a party,

"*Mindful* that China is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention relating to the Status of Refugees and its Protocol,

"*Recognizing* the significant transformation that Chinese society has undergone since the introduction of the reform policies, including the reduction of government interference in the everyday lives of most citizens, and the successful efforts of the Government of China in economic development and in reducing the numbers of Chinese living in extreme poverty, thus enhancing the enjoyment of economic and social rights, "*Taking note* of the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/2001/9 and Add.1), the report of the Special Rapporteur on the question of torture (E/CN.4/2001/66), the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/2001/68) and the associated note by the secretariat on the question of enforced or involuntary disappearances (E/CN.4/2001/69), and the report of and the opinions adopted by the Working Group on Arbitrary Detention (E/CN.4/2001/14 and Add.1),

"1. *Welcomes:*

"(*a*) The readiness of the Government of China to exchange information on human rights issues and engage in various cooperative activities in the area of human rights;

"(*b*) Continued efforts to increase the transparency of the judicial system and respect for the rule of law;

"(*c*) China's continued expressed intent to proceed promptly with ratification of the International Covenant on Civil and Political Rights;

"(*d*) Continuing efforts at poverty alleviation and economic development that have improved economic and social rights for many Chinese citizens;

"2. *Expresses its concern:*

"(*a*) At continuing reports of failure to protect internationally recognized human rights and fundamental freedoms in China and, in particular, at severe restrictions on the rights of citizens to the freedoms of assembly, association, expression, conscience and religion, and due legal process and a fair trial, as well as at reports of harsh sentences for some seeking to exercise their rights;

"(*b*) At increased restrictions on the exercise of cultural, linguistic, religious and other fundamental freedoms of Tibetans and others;

"(*c*) At the continuing arrests and harsh sentencing during the past year of members of the China Democracy Party and others who sought to exercise their internationally recognized rights of association, expression and participation in political life;

"(*d*) At the severe measures taken to restrict the peaceful activities of Buddhists, Muslims, Christians and others who sought to exercise their internationally recognized rights of freedom of religion or belief or conscience and of peaceful assembly;

"(*e*) At the increasingly severe measures taken against adherents of movements such as Falun Gong who, in pursuing non-violent activities, sought to exercise their internationally recognized rights of freedom of conscience, belief and peaceful assembly;

3. *Calls upon* the Government of China:

"(*a*) To ensure the observance of all human rights, including workers' rights, in accordance with its obligations under the human rights conventions to which it is a party and as a member of the International Labour Organization, and to ratify in the near future the International Covenant on Civil and Political Rights;

"(*b*) To take further measures to improve the impartial administration of justice and the rule of law;

"(*c*) To accelerate efforts to reform, with a view to rapid elimination, the re-education through labour system and forced labour;

"(*d*) To release political prisoners, including persons imprisoned for the non-violent expression of their political, religious or social views;

"(*e*) To permit the peaceful activities of Buddhists, Muslims, Christians and others who seek to exercise their internationally recognized rights of freedom of religion or belief or conscience and of peaceful assembly;

"(*f*) To preserve and protect the distinct cultural, ethnic, linguistic and religious identity of Tibetans and others;

"(*g*) To develop, with countries or regional groupings that seek them, productive bilateral dialogues and related technical assistance programmes, with the involvement of relevant experts, with a view to reaching further positive developments before the next session of the Commission;

"(*h*) To cooperate with all thematic special rapporteurs and working groups of the Commission and to give consideration to their recommendations;

"4. *Decides* to continue its consideration of the situation of human rights in China at its fifty-eighth session."

148. A statement in connection with the draft resolution was made by the representative of China.

149. Under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, the representative of China moved that the Commission take no decision on the draft resolution.

150. Statements in connection with that motion were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission

on Human Rights - the Czech Republic, Latvia and Poland, aligned themselves with the statement), Cuba, Indonesia, the Libyan Arab Jamahiriya, Pakistan, the Russian Federation, the Syrian Arab Republic and the United States of America.

151. A statement in explanation of vote before the vote on the motion was made by the representative of Canada.

152. At the request of the representative of China, a roll-call vote was taken on the motion, which was carried by 23 votes to 17, with 12 abstentions. The voting was as follows:

In favour:	Algeria, Burundi, Cameroon, China, Cuba, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.
Against:	Belgium, Canada, Costa Rica, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.
Abstaining:	Argentina, Brazil, Colombia, Ecuador, Mauritius, Mexico, Peru, Republic of Korea, Senegal, South Africa, Swaziland, Uruguay.

153. At the 63rd meeting, on 18 April 2001, a statement in explanation of vote after the vote was made by the representative of Algeria.

Cooperation with representatives of United Nations human rights bodies

154. At the 63rd meeting, on 18 April 2001, the observer for Hungary introduced draft resolution E/CN.4/2001/L.14, sponsored by Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Finland, Georgia, Haiti, Hungary, Iceland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, the Republic of Korea, Romania, Senegal, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Cameroon, France, Equatorial Guinea, Denmark, the Dominican Republic, Germany, Guatemala, Honduras, Ireland, Liechtenstein, Nepal, Portugal, Sweden, The former Yugoslav Republic of Macedonia, Turkey and Uruguay subsequently joined the sponsors.

155. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/11.

The situation of human rights in parts of south-eastern Europe

156. Also at the 63rd meeting, the representative of the United States of America introduced draft resolution E/CN.4/2001/L.17, sponsored by Albania, Austria, Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kenya, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain,

Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Australia, Cyprus, the Czech Republic, France, Japan, New Zealand, Norway, Pakistan, Switzerland and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

157. A statement in connection with the draft resolution was made by the observer for Yugoslavia.

158. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

159. Statements in explanation of vote before the vote were made by the representatives of China and the Russian Federation.

160. At the request of the representative of the Russian Federation, a roll-call vote was taken on the draft resolution, which was adopted by 41 votes to none, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Malaysia, Mauritius, Mexico, Niger, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela.

Against: None.

Abstaining: Cameroon, China, Cuba, India, Libyan Arab Jamahiriya, Madagascar, Nigeria, Russian Federation, Syrian Arab Republic, Viet Nam, Zambia.

161. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/12.

Situation of human rights in Afghanistan

162. Also at the 63rd meeting, the Chairperson introduced draft resolution E/CN.4/2001/L.18.

163. Statements in connection with the draft resolution were made by the representative of Pakistan, and the observer for Afghanistan.

164. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

165. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/13.

Situation of human rights in Iraq

166. Also at the 63rd meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.19, sponsored by Australia, Austria, Belgium, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Bulgaria, Italy and Japan subsequently joined the sponsors.

167. Statements in connection with the draft resolution were made by the observers for Iraq and Kuwait.

168. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

169. Statements in explanation of vote before the vote were made by the representatives of Algeria, the Libyan Arab Jamahiriya, the Russian Federation and Thailand.

170. At the request of the representatives of the Libyan Arab Jamahiriya and the Russian Federation, a roll-call vote was taken on the draft resolution, which was adopted by 30 votes to 3, with 19 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Italy, Japan, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America.

Against: Algeria, Libyan Arab Jamahiriya, Nigeria.

Abstaining: Burundi, Cameroon, China, Cuba, Democratic Republic of the Congo, India, Indonesia, Kenya, Madagascar, Malaysia, Niger, Pakistan, Qatar, Russian Federation, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.

171. Statements in explanation of vote after the vote were made by the representatives of Indonesia, Pakistan, Qatar and the Syrian Arab Republic.

172. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/14.

Situation of human rights in Myanmar

173. Also at the 63rd meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.20, sponsored by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom of Great Britain and Northern Ireland. Italy, Liechtenstein, the Republic of Korea and the United States of America subsequently joined the sponsors.

174. Statements in connection with the draft resolution were made by the representative of the United States of America and the observer for Myanmar.

175. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

176. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/15.

Situation of human rights in Cuba

177. Also at the 63rd meeting, the representative of the Czech Republic introduced draft resolution E/CN.4/2001/L.21, sponsored by Albania, Bulgaria, the Czech Republic, Denmark, Germany, Hungary, Iceland, Israel, Latvia, Lithuania, the Netherlands, Nicaragua, Poland, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Australia, Canada, Finland, Japan, Slovakia and Switzerland subsequently joined the sponsors.

178. The representative of the Czech Republic orally revised the draft resolution by replacing the eighth preambular paragraph of the draft resolution by a new text.

179. Statements in connection with the draft resolution were made by the representatives of Algeria, Belgium (on behalf of the European Union), China, Costa Rica, Cuba and the Libyan Arab Jamahiriya.

180. Statements in explanation of vote before the vote were made by the representatives of the Russian Federation, Thailand and Venezuela.

181. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 22 votes to 20, with 10 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Cameroon, Canada, Costa Rica, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Madagascar, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America.

Against: Algeria, Burundi, China, Cuba, India, Indonesia, Liberia, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, South Africa, Swaziland, Syrian Arab Republic, Venezuela, Viet Nam, Zambia.

Abstaining: Brazil, Colombia, Ecuador, Kenya, Mauritius, Mexico, Niger, Peru, Senegal, Thailand.

182. Statements in explanation of vote after the vote were made by the representatives of Argentina, Mexico, Romania and Uruguay.

183. At the 70th meeting, on 20 April 2001, statements were made by the representatives of Costa Rica and Cuba.

184. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/16.

Situation of human rights in the Islamic Republic of Iran

185. At the 68th meeting, on 20 April 2001, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.22, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Czech Republic, New Zealand and Slovenia subsequently joined the sponsors.

186. Statements in connection with the draft resolution were made by the representatives of Algeria, China, Cuba, Indonesia, the Libyan Arab Jamahiriya, Pakistan (on behalf of the Organization of the Islamic Conference) and Thailand, and the observer for the Islamic Republic of Iran.

187. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

188. A statement in explanation of vote before the vote was made by the representative of Venezuela.

189. At the request of the representative of Pakistan, a roll-call vote was taken on the draft resolution, which was adopted by 21 votes to 17, with 15 abstentions. The voting was as follows:

In favour: Belgium, Canada, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Italy, Japan, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, China, Cuba, India, Indonesia, Liberia, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Syrian Arab Republic, Venezuela, Viet Nam.

Abstaining: Argentina, Brazil, Burundi, Cameroon, Colombia, Democratic Republic of the Congo, Kenya, Madagascar, Niger, Republic of Korea, South Africa, Swaziland, Thailand, Uruguay, Zambia.

190. Statements in explanation of vote after the vote were made by the representatives of Brazil, Japan and Mexico.

191. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/17.

Situation of human rights in the Sudan

192. Also at the 68th meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.25, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Albania, Japan and New Zealand subsequently joined the sponsors.

193. Statements in connection with the draft resolution were made by the representative of Pakistan (on behalf of the Organization of the Islamic Conference) and the observer for the Sudan.

194. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

195. Statements in explanation of vote before the vote were made by the representatives of China, Norway, the Libyan Arab Jamahiriya and the United States of America.

196. The representative of the United States of America requested a vote. At the request of the representative of China, a roll-call vote was taken on the draft resolution, which was adopted by 28 votes to none, with 25 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Italy, Japan, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: None.

Abstaining: Algeria, Burundi, Cameroon, China, Cuba, Democratic Republic of the Congo, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Niger, Nigeria, Pakistan, Qatar, Saudi Arabia, Senegal, Swaziland, Syrian Arab Republic, Thailand, United States of America, Viet Nam, Zambia.

197. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/18.

Situation of human rights in the Democratic Republic of the Congo

198. Also at the 68th meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.26, sponsored by Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Australia, Japan, Turkey and the United States of America subsequently joined the sponsors.

199. The observer for Sweden orally revised the draft resolution by adding a new preambular paragraph after the eighth preambular paragraph and a new paragraph after operative paragraph 2 (b) (vii). Operative paragraphs 2 (b) (i) and 2 (b) (iv) and 4 (i) of the draft resolution were also revised.

200. Statements in connection with the draft resolution were made by the representatives of Burundi, the Democratic Republic of the Congo and Kenya.

201. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

202. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/19.

Situation of human rights in East Timor

203. Also at the 68th meeting, the Chairperson, on behalf of the Commission, made a statement concerning the situation of human rights in East Timor. For the text, see paragraph 239 below.

204. After the adoption of the Chairperson's statement, at the 70th meeting, on 20 April 2001, the representative of the United States of America made a statement in explanation of his delegation's position.

Situation of human rights in Sierra Leone

205. At the 69th meeting, on 20 April 2001, the representative of Canada introduced draft resolution E/CN.4/2001/L.27, sponsored by Albania, Australia, Austria, Belgium, Canada, Denmark, Germany, Iceland, Ireland, Italy, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Romania, Sierra Leone, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Finland, France, Greece, Japan and Poland subsequently joined the sponsors.

206. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/20.

Situation of human rights in Burundi

207. Also at the 69th meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.28, sponsored by Kenya (on behalf of the Group of African States). The United States of America subsequently joined the sponsors.

208. A statement in connection with the draft resolution was made by the representative of Burundi.

209. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

210. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/21.

Situation in Equatorial Guinea and assistance in the field of human rights

211. Also at the 69th meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.29, sponsored by Kenya (on behalf of the Group of African States). The United States of America subsequently joined the sponsors.

212. Statements in connection with the draft resolution were made by the representatives of Algeria, Belgium (on behalf of the European Union), Cuba, Guatemala, Kenya, the Libyan Arab Jamahiriya, Mexico and Portugal and the observer for Equatorial Guinea.

213. At the proposal of the Chairperson, paragraph 1 of the draft resolution was orally amended.

214. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

215. The draft resolution, as orally amended, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/22.

Situation of human rights in Rwanda

216. Also at the 69th meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.32, sponsored by Kenya (on behalf of the Group of African States).

217. The representative of Canada introduced proposed amendments (E/CN.4/2001/L.58) to draft resolution E/CN.4/2001/L.32, sponsored by Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. New Zealand and Switzerland subsequently joined the sponsors of the proposed amendments. The proposed amendments (E/CN.4/2001/L.58) to draft resolution E/CN.4/2001/L.32 read as follows:

"Amendments to draft resolution E/CN.4/2001/L.32 entitled 'The situation of human rights in Rwanda'

"1. Insert new preambular paragraph 3 *bis*:

Reaffirming that the promotion and protection of human rights and equal opportunities for the participation of all political parties are necessary for sustaining the process of national reconstruction and reconciliation in Rwanda,

"2. Insert new preambular paragraph 3 *ter*:

Taking into account the regional dimension of the human rights issues in the Great Lakes region, while underlining the primary responsibilities of States for the promotion and protection of human rights,

"3. Insert new preambular paragraph 3 *quater*:

Concerned at the human rights situation in neighbouring regions and reminding the Government of Rwanda of its responsibility and accountability for upholding respect for human rights by their own forces as well as by the armed forces under their control, "4. Insert new operative paragraph 2 *bis*:

Reaffirms that all persons who committed or authorized acts of genocide or other grave violations of human rights and international humanitarian law are individually responsible and accountable for those violations,

"5. Insert new operative paragraph 2 *ter*:

Expresses concern that most of the perpetrators of the genocide and other gross violations of human rights continue to evade justice,

"6. Insert new operative paragraph 2 *quater*:

Reiterates its request that all States cooperate fully with the Government of Rwanda and the International Tribunal for Rwanda in ensuring that all those responsible for the crime of genocide, crimes against humanity and other grave violations of human rights are brought to justice in accordance with international principles of due process, and expresses its appreciation to the States which have already cooperated in prosecutions and in implementing the relevant Security Council resolution in this regard,

"7. Insert new operative paragraph 2 *quinter*:

Notes the indications of improvement in the human rights situation in Rwanda since the previous session of the Commission, expresses concern at continued violations of human rights and international humanitarian law and urges the Government of Rwanda to continue to investigate and prosecute such violations,

"8. Insert new operative paragraph 2 *sexter*:

Emphasizes that the promotion and protection of human rights for all are essential for achieving stability and security in the Great Lakes region,

"9. Insert new operative paragraph 3 *bis*:

Notes that the Government of Rwanda is regrouping scattered rural populations in the country, including in the north-west, urges the Government to respect human rights principles and not to use any elements of coercion in the implementation of the resettlement programme, deplores the fact that these sites are still lacking basic infrastructure and services and that a number of former internally displaced persons still have no adequate shelter, and urges renewed efforts in responding to these needs,

"10. Insert new operative paragraph 3 *ter*:

Reiterates its concern at the conditions of detention in many communal detention centres and some prisons in Rwanda, calls upon the Government of Rwanda to continue in its efforts to ensure that persons in detention are treated in a manner which respects their human rights and basic human needs, deplores the appalling conditions prevailing in the *cachots* and emphasizes the necessity of allocating a specific budget to the *cachots*, and again urges the international community to assist the Government of Rwanda to meet the basic human needs of all prisoners, whether in prisons or in *cachots*, commends the work of the World Food Programme and the International Committee of the Red Cross in this regard and urges them to review their plans to terminate their food assistance programmes,

"11. Insert new operative paragraph 3 *quater*:

Encourages the continuing efforts of the Government of Rwanda to reduce the prison population by releasing minors, elderly prisoners, prisoners suffering from terminal illness and suspects with incomplete files who were detained for their alleged involvement in genocide and other abuses of human rights, urges the Government of Rwanda to accelerate these efforts and reaffirms the urgent need to complete a dossier for every detainee with a view to identifying those who should be released immediately, early or conditionally, while expressing concern at the high number of detainees still awaiting trial,

"12. Replace operative paragraph 5 with the following new paragraph:

Commends the Special Representative for his work, decides to extend his mandate for a further year, requests him to report to the General Assembly at its fifty-sixth session and to the Commission on Human Rights at its fifty-eighth session, in accordance with his mandate, and requests the High Commissioner to provide him with such financial assistance as he may require,

"13. Replace operative paragraph 6 with the following new paragraph:

Decides to consider the question of the situation of human rights in Rwanda at its fifty-eighth session under the same agenda item,

"14. Replace operative paragraph 7 with the following new paragraph:

Recommends the following draft decision to the Economic and Social Council for adoption:

> The Economic and Social Council, taking note of Commission on Human Rights resolution 2001/... of ... April 2001, endorses the Commission's decision to extend for a further year the mandate of the Special Representative of the Commission on the situation of human rights in Rwanda, to make recommendations on the situation of human rights in Rwanda, to facilitate the effective and independent functioning of the National Human Rights Commission and to make recommendations on situations in which technical assistance to the Government of Rwanda in the field of human rights may be appropriate."

218. The representative of Canada proposed to delete all the paragraphs of the proposed amendments (E/CN.4/2001/L.58) to draft resolution E/CN.4/2001/L.32 except for paragraphs 7, 12, 13 and 14, and to revise paragraph 13.

219. Statements in connection with the proposed amendments were made by the representatives of Algeria, Belgium (on behalf of the European Union), Canada, China, Cuba, Kenya, Pakistan and the United Kingdom of Great Britain and Northern Ireland.

220. The representative of Pakistan made a procedural proposal, according to which document E/CN.4/2001/L.58 should be considered as new proposals, not amendments to draft resolution E/CN.4/2001/L.32. At the request of the representative of Canada, a roll-call vote was taken on the proposal of the representative of Pakistan, which was carried by 30 votes to 22, with 1 abstention. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Colombia, Cuba, Democratic Republic of the Congo, Guatemala, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Viet Nam, Zambia.

Against: Argentina, Belgium, Brazil, Canada, Costa Rica, Czech Republic, Ecuador, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela.

Abstaining: India.

221. Statements in connection with draft resolution E/CN.4/2001/L.32 were made by the representatives of Algeria, Burundi, Canada, Guatemala and Mexico, and the observer for Rwanda.

222. A statement in explanation of vote before the vote was made by the representative of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland).

223. At the request of the representative of Canada, a roll-call vote was taken on draft resolution E/CN.4/2001/L.32, which was adopted by 28 votes to 16, with 9 abstentions. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Guatemala, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Mauritius, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Viet Nam, Zambia.

Against:	Argentina, Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland.
Abstaining:	Brazil, Ecuador, India, Malaysia, Mexico, Peru, Uruguay, United States of America, Venezuela.

224. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/23.

Situation in the Republic of Chechnya of the Russian Federation

225. At the 70th meeting, on 20 April 2001, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.24, sponsored by Canada, Iceland, Liechtenstein, New Zealand, Norway, Sweden and Switzerland. Australia, Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America subsequently joined the sponsors.

226. The representative of Sweden orally revised the draft resolution by adding a new preambular paragraph after the twelfth preambular paragraph.

227. Statements in connection with the draft resolution were made by the representatives of Pakistan and the Russian Federation.

228. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

229. Statements in explanation of vote before the vote were made by the representatives of Algeria, Cuba, China, India and the Libyan Arab Jamahiriya.

230. At the request of the representative of the Russian Federation, a roll-call vote was taken on the draft resolution, which was adopted by 22 votes to 12, with 19 abstentions. The voting was as follows:

In favour:	Belgium, Canada, Czech Republic, France, Germany, Guatemala, Italy, Latvia, Mauritius, Mexico, Niger, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Saudi Arabia, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.
Against:	Burundi, China, Cuba, India, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Nigeria, Russian Federation, Venezuela, Viet Nam.

Abstaining: Algeria, Argentina, Brazil, Cameroon, Colombia, Costa Rica, Democratic Republic of the Congo, Ecuador, Indonesia, Japan, Malaysia, Peru, Republic of Korea, Senegal, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Zambia.

231. Statements in explanation of vote after the vote were made by the representatives of Indonesia, the Syrian Arab Republic and Venezuela.

232. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/24.

(a) Question of human rights in Cyprus

233. At the 69th meeting, on 20 April 2001, the Chairperson introduced a draft decision on the question of human rights in Cyprus.

234. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/102.

(b) Procedure established in accordance with Economic and Social Council resolutions 1503 (XLVIII) and 2000/3

235. The Commission considered agenda item 9 (b) in two separate closed sessions pursuant to paragraph 7 of Economic and Social Council resolution 2000/3 at its 18th, 20th (closed part) and 27th meetings, on 28 March and 30 March 2001. It had before it for consideration the situation of human rights in Maldives, the Republic of the Congo, Togo and Uganda, as publicly announced by the Chairperson. The Chairperson also announced that the Commission had decided to discontinue consideration of the situation of human rights in Maldives, the Republic of the Congo and Uganda.

236. The Chairperson reminded the members of the Commission that, in conformity with paragraph 9 of Economic and Social Council resolution 2000/3, they should not make any reference in public debate to the confidential decisions taken under that resolution or to any confidential material relating thereto.

237. The Chairperson also stated publicly, at the request of the Working Group on Situations, that the Working Group had noted that there had been no replies from several of the Governments concerned when the Working Group on Communications took its decisions in August 2000. The Working Group on Situations, therefore, wished to underline the importance of Governments replying at all stages of the 1503 procedure, namely to the Working Group on Communications, the Working Group on Situations and the Commission on Human Rights, and considered the timely submission of replies to be essential to its functioning and effectiveness.

238. In accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the Chairperson would designate five members of the Commission to serve in their personal capacity on the Working Group on Situations, which would meet prior to the fifty-eighth session of the Commission in 2001.

Chairperson's statement

239. During consideration of agenda item 9, the Chairperson made one statement, the text of which reads as follows:

"Situation of human rights in East Timor

"The Commission recalls the Chairperson's statements on the situation in East Timor issued at previous sessions, in particular the statement adopted at its fifty-sixth session (E/2000/23-E/CN.4/2000/167, para. 213), and takes note of the interim report of the United Nations High Commissioner for Human Rights to the General Assembly at its fifty-fifth session (A/55/36), the report of the High Commissioner to the Commission at its fifty-seventh session (E/CN.4/2001/37 and Corr.1), the report of the Secretary-General to the Security Council of 16 January 2001 (S/2001/42) and the letter dated 18 February 2000 from the President of the Security Council addressed to the Secretary-General (A/2000/137).

"The Commission acknowledges relevant Security Council and other United Nations resolutions.

"The Commission welcomes the encouraging improvements of the judicial system in East Timor and the first measures that have been taken against suspects accused of crimes against humanity and other serious crimes committed during the violence in 1999 and strongly supports continuation of these investigations. It emphasizes the importance of continuing international assistance to the strengthening of the justice system in East Timor. The Commission emphasizes the importance of the ongoing reconciliation process and the full promotion and protection of human rights, including freedom of religion, aimed at ensuring future social and political stability in East Timor. It welcomes the forthcoming establishment of a Truth, Reception and Reconciliation Commission.

"The Commission recalls the commitment of the Government of Indonesia to ensure that the violations of human rights and humanitarian law committed during the violence in 1999 are accounted for and welcomes in this context the concrete steps already taken by the Government of Indonesia, including the efforts by the Attorney-General of Indonesia to investigate fully the violations of human rights and international and humanitarian law perpetrated in East Timor in the period leading up to and immediately following the popular consultation held in August 1999. It notes with appreciation the decision adopted on 21 March 2001 by the Parliament of Indonesia pursuant to Law No. 26/2000 proposing that the Government set up an ad hoc human rights court in order to bring to justice those suspected of committing such violations. Accordingly, the Commission urges the Government of Indonesia to establish the proposed ad hoc human rights court without delay, and to bring to justice those responsible for violations of human rights and humanitarian law abuses in East Timor.

"The Commission will continue to monitor developments closely and in the light thereof consider whether further action would be required. The Commission welcomes the cooperation between the Government of Indonesia and the Office of the High Commissioner for Human Rights with a view to enhancing the capacity of the judicial system and, in particular, the functioning of the ad hoc human rights courts in full respect of international human rights standards.

"The Commission recalls the commitment by the Government of Indonesia to cooperate with the Office of the High Commissioner for Human Rights, as affirmed in the memorandum of understanding signed by the United Nations Transitional Administration in East Timor (UNTAET) and the Government of Indonesia. It reiterates the need for enhanced bilateral cooperation between UNTAET and the Government of Indonesia as foreseen in the memorandum of understanding signed by the parties, and stresses the importance that the spirit of the agreement be followed and implemented fully as foreseen.

"The Commission recalls Security Council resolution 1319 (2000) of 8 September 2000 condemning the brutal murders last September of three international staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Atambua, West Timor, as well as attacks on the United Nations presence in East Timor. The Commission expects that the ongoing trials of the suspects in Indonesia will be conducted in conformity with international standards of justice and fairness.

"The Commission urges the Government of Indonesia, while acknowledging the efforts already made by the Government of Indonesia, to continue, without further delay, to fulfil its responsibility to disarm and disband the militia, to restore security in the refugee camps in West Timor and to take measures to ensure that the refugees can make a free and informed choice whether to return to East Timor or resettle in Indonesia. The Commission, concerned at the large numbers of East Timorese refugees still in camps in West Timor, encourages the Government of Indonesia to strengthen its endeavours to resolve this problem in accordance with Security Council resolutions 1319 (2000) and 1338 (2001) of 31 January 2001. It urges the Government of Indonesia to ensure full and secure humanitarian access to the refugee camps. It notes the practical arrangements made on an ad hoc basis by UNTAET, the International Organization for Migration (IOM) and UNHCR in support of the Indonesian efforts on repatriation and stresses the need to enhance the level of cooperation between the Government of Indonesia and those international organizations. In this regard it welcomes the announcement of a joint visit to the refugee camps in West Timor to be undertaken by UNTAET, UNHCR and IOM, together with the Indonesian Armed Forces (TNI). All efforts should be made to complete the refugee repatriation programme in full accordance with international standards, including the need for an impartial and transparent process of registration of refugees in order to enable the refugees to register to vote in the East Timor general elections to be held on 30 August 2001.

"The Commission recalls the importance of a speedy resolution of this question for the laying of a strong foundation for future relations and peaceful coexistence between East Timor and Indonesia. Reconciliation and justice lie at the heart of the many issues facing East Timor during the transition period and beyond. The Commission calls for continued international support before and after independence of East Timor.

"The Commission decides to keep these matters under consideration and requests the High Commissioner to submit an interim report to the General Assembly at its fifty-sixth session and to report to the Commission at its fifty-eighth session."

X. Economic, social and cultural rights

240. The Commission considered agenda item 10 at its 31st to 36th meetings, from 2 to 4 April, at its 70th meeting, on 20 April, and at its 71st meeting, on 23 April 2001.

241. For the documents issued under agenda item 10, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

242. At the 32nd meeting, on 3 April 2001:

(*a*) The Special Rapporteur on the right to education, Ms. Katarina Tomasevski, introduced her report (E/CN.4/2001/52);

(*b*) The Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Ms. Fatma Zohra Ouhachi-Vesely, introduced her report (E/CN.4/2001/55 and Add.1). At the 36th meeting, on 4 April 2001, the Special Rapporteur made her concluding remarks;

(*c*) The Special Rapporteur on the right to food, Mr. Jean Ziegler, introduced his report (E/CN.4/2001/53). At the 35th meeting, on 4 April 2001, the Special Rapporteur made his concluding remarks;

(*d*) The independent expert on the effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, in particular economic, social and cultural rights, Mr. Fantu Cheru, introduced his report (E/CN.4/2001/56). At the 36th meeting, on 4 April 2001, the independent expert made his concluding remarks;

(*e*) The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Mr. Miloon Kothari, introduced his report (E/CN.4/2001/51). At the 36th meeting, on 4 April 2001, the Special Rapporteur made his concluding remarks.

243. At the 33rd meeting, on 3 April 2001, the independent expert on human rights and extreme poverty, Ms. Anne-Marie Lizin, introduced her report (E/CN.4/2001/54 and Corr.1 and Add.1 and Corr.1). At the 35th meeting, on 4 April 2001, the independent expert made her concluding remarks.

244. In the general debate on agenda item 10, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

The right to food

245. At the 70th meeting, on 20 April 2001, the representative of Cuba introduced draft resolution E/CN.4/2001/L.12, sponsored by Algeria, Angola, Bangladesh, Belarus, Belgium, Bhutan, Botswana, Burundi, Cameroon, China, Costa Rica, Côte d'Ivoire, Cuba, the People's Democratic Republic of Korea, the Democratic Republic of the Congo, the

Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Ghana, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Iraq, the Islamic Republic of Iran, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Mauritius, Mexico, Mongolia, Nepal, Niger, Nigeria, Pakistan, Peru, the Philippines, Portugal, the Republic of the Congo, the Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Togo, Tunisia, Turkey, the United Republic of Tanzania, Viet Nam, Yemen and Zambia. Colombia, France, Germany, Ireland, Italy, Malaysia, Nicaragua, Norway, Spain, Slovenia, Thailand and Switzerland subsequently joined the sponsors.

246. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

247. A statement in explanation of vote before the vote was made by the representative of the United States of America.

248. The representative of the United States of America requested a vote. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was adopted by 52 votes to 1, with no abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: United States of America.

Abstaining: None.

249. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/25.

Human rights and unilateral coercive measures

250. Also at the 70th meeting, the representative of South Africa introduced draft resolution E/CN.4/2001/L.16, sponsored by South Africa (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China). Armenia and Costa Rica subsequently joined the sponsors.

251. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 37 votes to 8, with 8 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Canada, Germany, Japan, Latvia, Norway, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, Czech Republic, France, Italy, Portugal, Republic of Korea, Romania, Spain.

252. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/26.

Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights

253. Also at the 70th meeting, the representative of Cuba introduced draft resolution E/CN.4/2001/L.33, sponsored by Algeria, Angola, Bangladesh, Burundi, Cameroon, China, Côte d'Ivoire, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Ghana, Haiti, Indonesia, Iraq, the Lao People's Democratic Republic, Madagascar, Mauritania, Nigeria, Pakistan, the Philippines, the Republic of the Congo, Rwanda, Senegal, the Sudan, Swaziland, the Syrian Arab Republic, Togo, Tunisia, Uganda, the United Republic of Tanzania, Uruguay, Viet Nam, Yemen and Zambia. Kenya, Malaysia and Myanmar subsequently joined the sponsors.

254. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement) and Japan.

255. At the request of the representative of Belgium, a roll-call vote was taken on the draft resolution, which was adopted by 31 votes to 15, with 7 abstentions. The voting was as follows:

In favour: Algeria, Brazil, Burundi, Cameroon, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Niger, Nigeria, Pakistan, Peru, Russian Federation, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Colombia, Guatemala, Mexico, Qatar, Republic of Korea, Saudi Arabia.

256. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/27.

Adequate housing as a component of the right to an adequate standard of living

257. Also at the 70th meeting, the representative of Germany introduced draft resolution E/CN.4/2001/L.39, sponsored by Belgium, Bulgaria, Finland, France, Germany, Guatemala, Ireland, Italy, Luxembourg, Mexico, the Netherlands, Portugal, Romania, South Africa, Spain and Switzerland. Albania, Cameroon, Costa Rica, Denmark, Ecuador, Georgia, Kenya, Nicaragua, Poland, Senegal, Slovenia, The former Yugoslav Republic of Macedonia and Tunisia subsequently joined the sponsors.

258. A statement in connection with the draft resolution was made by the representative of the United States of America.

259. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

260. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/28.

The right to education

261. Also at the 70th meeting, the representative of Portugal introduced draft resolution E/CN.4/2001/L.41, sponsored by Angola, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Burundi, Canada, Croatia, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Iceland, India, Ireland, Italy, Latvia, Liechtenstein, Madagascar, Mexico, Norway, Pakistan, Poland, Portugal, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland and Thailand. Albania, Algeria, Argentina, Brazil, Bulgaria, Cameroon, Costa Rica, Cyprus, Ecuador, Georgia, Guatemala, Israel, Japan, Kenya, the Libyan Arab Jamahiriya, Mauritius, Mongolia, Morocco, Panama, the Russian Federation, The former Yugoslav Republic of Macedonia, Tunisia and Viet Nam subsequently joined the sponsors.

262. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

263. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/29.

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

264. Also at the 70th meeting, the representative of Portugal introduced draft resolution E/CN.4/2001/L.42, sponsored by Angola, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Denmark, the Dominican Republic, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Madagascar, Mexico, the Netherlands, Norway, Paraguay, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, South Africa, Spain and Switzerland. Albania, Brazil, Burundi, Cameroon, Chile, Croatia, the Czech Republic, Ecuador, Guatemala, Malta, Mongolia, Morocco, Nicaragua, Panama, the Russian Federation, The former Yugoslav Republic of Macedonia, Tunisia and Ukraine subsequently joined the sponsors.

265. Statements in connection with the draft resolution were made by the representatives of Cuba, Portugal and the United States of America.

266. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

267. The representative of the United States of America requested a separate vote on paragraph 8 (*c*) of the draft resolution. At the request of the representative of Cuba, a roll-call vote was taken on paragraph 8 (*c*), which was retained by 44 votes to 2, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, Italy, Japan, Kenya, Latvia, Liberia, Madagascar, Mauritius, Mexico, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Saudi Arabia, United States of America.

Abstaining: China, India, Indonesia, Libyan Arab Jamahiriya, Malaysia, Pakistan, Qatar.

268. Statements in explanation of vote after the vote were made by the representatives of the India and Japan.

269. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/30.

Human rights and extreme poverty

270. At the 71st meeting, on 23 April 2001, the representative of France introduced draft resolution E/CN.4/2001/L.45, sponsored by Algeria, Belarus, Belgium, Bhutan, Brazil, Bulgaria, Canada, China, Denmark, El Salvador, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Malta, Mexico, Morocco, Nepal, Niger, Peru, Poland, Portugal, Romania, the Russian Federation, San Marino, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Switzerland, Thailand, Togo, Tunisia, Uruguay, Venezuela, Viet Nam and Zambia. Argentina, Australia, Burundi, Cameroon, Colombia, Costa Rica, Cuba, the Dominican Republic, Georgia, India, Indonesia, Japan, Kenya, Madagascar, Nicaragua, Norway, the Republic of Korea, Slovenia, Sweden and Ukraine subsequently joined the sponsors.

271. The representative of France orally revised the draft resolution by deleting paragraph 1 (*f*).

272. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/31.

Globalization and its impact on the full enjoyment of all human rights

273. Also at the 71st meeting, the representative of Pakistan introduced draft resolution E/CN.4/2001/L.48, sponsored by Algeria, Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Malaysia, Pakistan, the Sudan and Viet Nam. Brazil, Burundi, Cameroon, Ecuador, the Islamic Republic of Iran, Kenya, the Libyan Arab Jamahiriya, Madagascar, Mauritius, Nepal, Nigeria, Myanmar, the Philippines, South Africa, Sri Lanka, the Syrian Arab Republic, Togo and Zambia subsequently joined the sponsors.

274. The representative of Pakistan orally revised the draft resolution by deleting paragraphs 9 and 11.

275. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the

United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement), Canada and the United States of America.

276. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, as orally revised, which was adopted by 37 votes to 15, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Republic of Korea.

277. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/32.

Access to medication in the context of pandemics such as HIV/AIDS

278. Also at the 71st meeting, the representative of Brazil introduced draft resolution E/CN.4/2001/L.50, sponsored by Angola, Azerbaijan, Botswana, Brazil, Burundi, Cameroon, China, Costa Rica, Cuba, Egypt, El Salvador, Gabon, Ghana, Guatemala, Honduras, Kenya, Mexico, Nicaragua, Paraguay, Peru, South Africa, Swaziland, Togo, Turkey, Uruguay and Viet Nam. Algeria, Argentina, Australia, Austria, Belgium, Chile, Colombia, the Dominican Republic, Ecuador, France, Georgia, Greece, India, Indonesia, Ireland, Italy, the Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Mozambique, the Netherlands, Niger, Norway, Pakistan, Panama, Poland, Portugal, Spain, Thailand, Venezuela and Zambia subsequently joined the sponsors.

279. Statements in connection with the draft resolution were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement), Italy and Norway.

280. Statements in explanation of vote before the vote were made by the representatives of Nigeria, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

281. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 52 votes to none , with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: None.

Abstaining: United States of America.

282. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/33.

Women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing

283. Also at the 71st meeting, the representative of Mexico introduced draft resolution E/CN.4/2001/L.53, sponsored by Australia, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Denmark, the Dominican Republic, Ecuador, Finland, France, Germany, Guatemala, India, Italy, Japan, Liberia, Madagascar, Mexico, Morocco, New Zealand, Norway, Pakistan, Panama, Peru, Portugal, Senegal, South Africa, Spain, Swaziland, Switzerland, Turkey, the United Republic of Tanzania, Uruguay, Venezuela and Zambia. Algeria, Austria, the Democratic Republic of the Congo, Georgia, Greece, Ireland, Kenya, Luxembourg, Mauritius, the Netherlands, Sweden, Togo and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

284. The representative of the United States of America introduced proposed amendments (E/CN.4/2001/L.68) to draft resolution E/CN.4/2001/L.53, sponsored by the United States of America. The proposed amendments contained in document E/CN.4/2001/L.68, which were subsequently withdrawn by the representative of the United States of America, read as follows:

> "Replace operative paragraph 5 with the following:
>
> '*Reaffirms* Commission on the Status of Women resolution 42/1 of 13 March 1998, which, *inter alia*, urged States to design and revise laws to ensure that women are accorded full and equal rights to own land and other property, including through the right to inheritance, and to undertake administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies, access to markets and information;'"

285. Statements in connection with the proposed amendments (E/CN.4/2001/L.68) to draft resolution E/CN.4/2001/L.53 were made by the representatives of Mexico and the United States of America.

286. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement) and Mexico.

287. At the request of the representative of the United States of America, a roll-call vote was taken on paragraph 5 of draft resolution E/CN.4/2001/L.53, which was retained by 49 votes to 1, with 3 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, China, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: United States of America.

Abstaining: Qatar, Saudi Arabia, Syrian Arab Republic.

288. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/34.

Adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

289. Also at the 71st meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.54, sponsored by Kenya (on behalf of the Group of African States). Costa Rica, Ecuador, Nicaragua and Panama subsequently joined the sponsors.

290. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

291. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the

United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement) and Japan.

292. At the request of the representative of Belgium, a roll-call vote was taken on the draft resolution, which was adopted by 38 votes to 15, with no abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: None.

293. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/35.

The Social Forum

294. Also at the 71st meeting, the representative of Norway introduced proposed amendments (E/CN.4/2001/L.37) to draft decision 2 of the Sub-Commission on the Promotion and Protection of Human Rights, sponsored by Norway.

295. The representative of Norway orally revised the proposed amendments contained in document E/CN.4/2001/L.37.

296. Statements in connection with the proposed amendments (E/CN.4/2001/L.37) to draft decision 2 of the Sub-Commission on the Promotion and Protection of Human Rights, as orally revised, were made by the representatives of India, Kenya, Nigeria and Norway.

297. The draft decision, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/103.

298. In view of the adoption of decision 2001/103, the Commission took no action on draft decision 2, recommended by the Sub-Commission on the Promotion and Protection of Human Rights (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

Promotion of the realization of the right to drinking water and sanitation

299. Also at the 71st meeting, the representative of Norway introduced proposed amendments (E/CN.4/2001/L.43) to draft decision 3 of the Sub-Commission on the Promotion and Protection of Human Rights, sponsored by Norway.

300. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/104.

301. In view of the adoption of decision 2001/104, the Commission took no action on draft decision 3, recommended by the Sub-Commission on the Promotion and Protection of Human Rights (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

XI. Civil and political rights, including the questions of:

(*a*) Torture and detention;

(*b*) Disappearances and summary executions;

(*c*) Freedom of expression;

(*d*) Independence of the judiciary, administration of justice, impunity;

(*e*) Religious intolerance;

(*f*) States of emergency;

(*g*) Conscientious objection to military service

302. The Commission considered agenda item 11 at its 36th to 43rd meetings, from 4 to 6 April, at its 44th meeting, on 9 April, at its 50th meeting, on 11 April, at its 71st to 73rd meetings, on 23 April, at its 75th meeting, on 24 April, and at its 77th meeting, on 25 April 2001.

303. For the documents issued under agenda item 11, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

304. At the 36th meeting, on 4 April 2001:

(*a*) The Chairperson-Rapporteur of the Working Group on Arbitrary Detention, Mr. Kapil Sibal, introduced the report of the Working Group (E/CN.4/2001/14 and Add.1).

(*b*) The Special Rapporteur on extrajudicial, summary or arbitrary executions, Ms. Asma Jahangir, introduced her report (E/CN.4/2001/9 and Add.1-2).

(*c*) The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Abid Hussain, introduced his report (E/CN.4/2001/64 and Add.1);

(*d*) Mr. Ivan Tosevski, in his capacity as a member of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, presented the updated information of the Board (E/CN.4/2001/59 and Corr.1 and Add.1);

(*e*) A statement was read out by a member of the secretariat on behalf of Ms. Elizabeth Odio Benito, Chairperson-Rapporteur of the open-ended working group on a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on its ninth session, in connection with the working group's report (E/CN.4/2001/67).

305. At the 39th meeting, on 5 April 2001:

(*a*) The Special Rapporteur on the independence of judges and lawyers, Mr. Param Cumaraswamy, introduced his report (E/CN.4/2001/65 and Add.1-3);

(*b*) The Chairperson-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Mr. Ivan Tosevski, introduced the report of the Working Group (E/CN.4/2001/68);

(*c*) The Special Rapporteur on the question of torture, Sir Nigel Rodley, introduced his report (E/CN.4/2001/66 and Add.1). At the 43rd meeting, on 6 April 2001, Sir Nigel Rodley made his concluding remarks.

306. At the 44th meeting, on 9 April 2001, the Special Rapporteur on the question of religious intolerance, Mr. Abdelfattah Amor, presented his report (E/CN.4/2001/63). At the same meeting, Mr. Amor made his concluding remarks.

307. At the 50th meeting, on 11 April 2001, the Special Rapporteur on the question of torture, Sir Nigel Rodley, introduced his report on a mission (E/CN.4/2001/66/Add.2).

308. In the general debate on agenda item 11, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Strengthening of popular participation, equity, social justice and non-discrimination as essential foundations of democracy

309. At the 71st meeting, on 23 April 2001, the representative of Cuba introduced draft resolution E/CN.4/2001/L.8/Rev.1, sponsored by Algeria, Angola, Cameroon, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Equatorial Guinea, Eritrea, Ghana, Haiti, Iraq, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Republic of the Congo, the Sudan, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania and Viet Nam. Burundi, Kenya, Qatar, Rwanda, Swaziland and Yemen subsequently joined the sponsors.

310. The representative of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement) introduced proposed amendments (E/CN.4/2001/L.94) to draft resolution E/CN.4/2001/L.8/Rev.1, sponsored by Australia, Austria,

Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Romania, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. Japan, Poland and the United States of America subsequently joined the sponsors.

311. Statements in connection with the proposed amendments (E/CN.4/2001/L.94) to draft resolution E/CN.4/2001/L.8/Rev.1 were made by the representatives of Belgium, Cuba and India.

312. At the request of the representative of Cuba, a roll-call vote was taken on a proposed sub-amendment of Cuba to replace the word "reaffirming" by the word "noting" in paragraph 1 of the proposed amendments contained in document E/CN.4/2001/L.94. The sub-amendment proposed by Cuba was carried by 24 votes to 17, with 12 abstentions. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Colombia, Cuba, Democratic Republic of the Congo, Ecuador, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, South Africa, Swaziland, Syrian Arab Republic, Viet Nam.

Against: Belgium, Canada, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Costa Rica, India, Indonesia, Mauritius, Saudi Arabia, Senegal, Thailand, Uruguay, Venezuela, Zambia.

313. Statements in explanation of vote before the vote on draft resolution E/CN.4/2001/L.8/Rev.1, as amended, were made by the representatives of Algeria, Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement) and Canada.

314. At the request of the representative of Belgium, a roll-call vote was taken on draft resolution E/CN.4/2001/L.8/Rev.1, as amended, which was adopted by 28 votes to 4, with 21 abstentions. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Senegal, Swaziland, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.

Against: Germany, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, France, Guatemala, Italy, Latvia, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Saudi Arabia, South Africa, Spain, Uruguay.

315. A statement in explanation of vote after the vote was made by the representative of India.

316. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/36.

Human rights and terrorism

317. At the 72nd meeting, on 23 April 2001, the representative of Algeria introduced draft resolution E/CN.4/2001/L.34, sponsored by Afghanistan, Algeria, Azerbaijan, Bangladesh, Belarus, Cameroon, Colombia, Côte d'Ivoire, Cuba, Egypt, El Salvador, Georgia, India, Pakistan, Peru, the Republic of the Congo, the Russian Federation, Saudi Arabia, Sri Lanka, Togo, Turkey, Uganda and Yemen. Brazil, Burundi, China, Costa Rica, Ecuador, Ethiopia, Guatemala, Lebanon, Nigeria, Oman, Qatar and Senegal subsequently joined the sponsors.

318. A statement in connection with the draft resolution was made by the representative of the Russian Federation.

319. Statements in explanation of vote before the vote were made by the representatives of Argentina, Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement), Norway, the Syrian Arab Republic and the United States of America.

320. At the request of the representative of United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 33 votes to 14, with 6 abstentions. The voting was as follows:

In favour: Algeria, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, Swaziland, Thailand, Uruguay, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Japan, Republic of Korea, South Africa, Syrian Arab Republic, Venezuela.

321. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/37.

Hostage-taking

322. Also at the 72nd meeting, the representative of the Russian Federation introduced draft resolution E/CN.4/2001/L.35, sponsored by Algeria, Armenia, Australia, Azerbaijan, Belarus, China, Costa Rica, Cuba, Cyprus, Ecuador, El Salvador, Georgia, Greece, India, Nepal, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Russian Federation, Spain, Sri Lanka, Turkey, Uruguay and Venezuela. Colombia, Mauritius, Nicaragua, Pakistan and the Republic of Moldova subsequently joined the sponsors.

323. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/38.

Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

324. Also at the 72nd meeting, the observer for Hungary introduced draft resolution E/CN.4/2001/L.38, sponsored by Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, the Czech Republic, Denmark, El Salvador, Finland, Georgia, Germany, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Nepal, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland and Turkey. Algeria, Cameroon, Costa Rica, the Dominican Republic, Ecuador, Greece, Guatemala, Honduras, India, Japan, Madagascar, Nigeria, South Africa, The former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Uruguay subsequently joined the sponsors.

325. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/39.

Right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms

326. Also at the 72nd meeting, the observer for Chile introduced draft decision E/CN.4/2001/L.40, sponsored by Argentina, Brazil, Chile and Uruguay. Costa Rica, the Republic of Korea and South Africa subsequently joined the sponsors.

327. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

328. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/105.

Question of arbitrary detention

329. Also at the 72nd meeting, the representative of France introduced draft resolution E/CN.4/2001/L.44, sponsored by Belgium, Denmark, Finland, France, Germany, Hungary, Iceland, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Albania, Argentina, Austria, Belarus, Bulgaria, Cameroon, Canada, Costa Rica, the Czech Republic, Ecuador, Georgia, Greece, Ireland, Liechtenstein, Morocco, Norway, the Republic of Moldova, Romania, Senegal, South Africa, Sweden and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

330. A statement in connection with the draft resolution was made by the representative of Algeria.

331. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/40.

Continuing dialogue on measures to promote and consolidate democracy

332. Also at the 72nd meeting, the representative of Romania introduced draft resolution E/CN.4/2001/L.46, sponsored by Albania, Belgium, Canada, Chile, Croatia, Denmark, El Salvador, Estonia, France, Georgia, Germany, Hungary, Ireland, Latvia, Lithuania, Mexico, New Zealand, Niger, Norway, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Argentina, Australia, Austria, Brazil, Bulgaria, Burundi, Cameroon, Colombia, Ecuador, Finland, Greece, Guatemala, Israel, Italy, Japan, Kenya, Luxembourg, Mongolia, Nepal, the Netherlands, Nicaragua, Nigeria, Senegal, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey and Uruguay subsequently joined the sponsors.

333. The seventh preambular paragraph of the draft resolution was orally revised by the representative of Romania.

334. The representative of Cuba withdrew the proposed amendments (E/CN.4/2001/L.66) to draft resolution E/CN.4/2001/L.46, sponsored by Cuba, which read as follows:

> "Insert a new paragraph after preambular paragraph 2, to read as follows:
>
> > "*Reaffirming also* that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation, and is therefore incompatible with democracy,".

335. Statements in connection with the draft resolution were made by the representatives of Algeria, Cuba, Malaysia and Romania.

336. Statements in explanation of vote before the separate vote on the fifth preambular paragraph were made by the representatives of Algeria, China and Malaysia.

337. At the request of the representative of Cuba, a roll-call vote was taken on the fifth preambular paragraph of draft resolution E/CN.4/2001/L.46. The Commission decided, by 37 votes to 8, with 8 abstentions, to retain the paragraph. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, India, Italy, Japan, Kenya, Latvia, Liberia, Mexico, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela.

Against: Algeria, China, Cuba, Democratic Republic of the Congo, Libyan Arab Jamahiriya, Malaysia, Viet Nam, Zambia.

Abstaining: Indonesia, Madagascar, Mauritius, Pakistan, Qatar, Saudi Arabia, Swaziland, Syrian Arab Republic.

338. Statements in explanation of vote before the vote on the draft resolution were made by the representatives of Algeria, China, Cuba, the Libyan Arab Jamahiriya and Pakistan.

339. At the request of the representative of Cuba, a roll-call vote was taken on draft resolution E/CN.4/2001/L.46, as revised, which was adopted by 44 votes to none, with 9 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela, Zambia.

Against: None.

Abstaining: China, Cuba, Democratic Republic of the Congo, Libyan Arab Jamahiriya, Qatar, Saudi Arabia, Swaziland, Syrian Arab Republic, Viet Nam.

340. A statement in explanation of vote after the vote was made by the representative of India.

341. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/41.

Elimination of all forms of religious intolerance

342. Also at the 72nd meeting, the observer for Ireland introduced draft resolution E/CN.4/2001/L.49, sponsored by Afghanistan, Argentina, Armenia, Australia, Austria, Belarus,

Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Tunisia, the United Kingdom of Great Britain and Northern Ireland and Venezuela. Albania, Algeria, India, Israel, Mauritius, Nicaragua, Panama, the Philippines, the Republic of Korea, The former Yugoslav Republic of Macedonia, the United States of America and Uruguay subsequently joined the sponsors.

343. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

344. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/42.

The incompatibility between democracy and racism

345. Also at the 72nd meeting, the representative of Brazil introduced draft resolution E/CN.4/2001/L.51, sponsored by Albania, Algeria, Argentina, Azerbaijan, Botswana, Brazil, Chile, China, Costa Rica, Cuba, the Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, Honduras, Israel, Italy, Latvia, Mexico, Nepal, Nicaragua, Niger, Paraguay, Peru, Poland, Romania, Senegal, Spain, Sri Lanka, Turkey, the United States of America, Uruguay and Venezuela. Bosnia and Herzegovina, Burundi, Canada, Colombia, Croatia, Georgia, India, Kenya, Mongolia, Morocco, Pakistan, Panama, the Russian Federation, Thailand, The former Yugoslav Republic of Macedonia, Togo and Tunisia subsequently joined the sponsors.

346. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/43.

Draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

347. Also at the 72nd meeting, the representative of Costa Rica introduced draft resolution E/CN.4/2001/L.52, sponsored by Albania, Argentina, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Romania, the Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Venezuela. Australia, Colombia, the Dominican Republic, Nepal, Panama, Senegal and South Africa subsequently joined the sponsors.

348. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/44.

Extrajudicial, summary and arbitrary executions

349. Also at the 72nd meeting, the observer for Finland introduced draft resolution E/CN.4/2001/L.55, sponsored by Albania, Angola, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Bosnia and Herzegovina, Cameroon, Ecuador, Guatemala, Haiti, Madagascar, Morocco, Panama, the Republic of Moldova, South Africa, The former Yugoslav Republic of Macedonia, Ukraine and Uruguay subsequently joined the sponsors.

350. Operative paragraphs 7, 8 and 14 of the draft resolution were orally revised by the observer for Finland.

351. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

352. Statements in connection with the draft resolution were made by the representatives of Latvia and the Russian Federation.

353. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/45.

354. At the 77th meeting, on 25 April 2001, the representative of the United States of America made a statement in explanation of his delegation's position.

The right to freedom of opinion and expression

355. At the 73rd meeting, on 23 April 2001, the representative of Canada introduced draft resolution E/CN.4/2001/L.56, sponsored by Austria, Belgium, Botswana, Canada, Cyprus, the Czech Republic, Denmark, El Salvador, Estonia, Finland, Germany, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, South Africa, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Argentina, Belarus, Brazil, Bulgaria, Cameroon, Colombia, Costa Rica, Cote d'Ivoire, Croatia, Dominican Republic, Ecuador, France, Georgia, Greece, Guatemala, Hungary, India, Israel, Madagascar, Morocco, Nepal, Nicaragua, the Republic of Korea, San Marino, Sweden, The former Yugoslav Republic of Macedonia, Turkey and Venezuela subsequently joined the sponsors. The United States of America withdrew as a sponsor.

356. The representative of Canada orally revised the draft resolution by deleting the eleventh preambular paragraph.

357. The representative of Cuba introduced proposed amendments (E/CN.4/2001/L.67) to draft resolution E/CN.4/2001/L.56, sponsored by Cuba.

358. The representative of Cuba revised the proposed amendments by deleting the second paragraph, which read as follows:

> "*Regrets* the high and increasing level of ownership and control of the mass media by a few individuals and small groups of private interests at the global level and in certain countries, and in this regard recognizes that the persistence and aggravation of this phenomenon creates a serious challenge to the full enjoyment of freedom of opinion and expression by everyone;".

359. The representative of Cuba proposed that the second paragraph of the proposed amendments be inserted as a new paragraph 17 (*b*) of draft resolution E/CN.4/2001/L.56.

360. The representative of Canada proposed to replace the first paragraph of document E/CN.4/2001/L.67 by a paragraph which would read as follows:

> "*Affirms* the vital importance for the promotion and protection of the rights to freedom of opinion and expression of compliance by each State with their obligation as assumed under the Convention on the Elimination of Racial Discrimination, including article 4."

361. The representative of Cuba further proposed to amend the above paragraph by replacing the words "their obligations as assumed" by the words "the obligations established", and to replace the word "including" with the words "in particular".

362. Statements in connection with draft resolution E/CN.4/2001/L.56 and the proposed amendments contained in document E/CN.4/2001/L.67 were made by the representatives of Algeria, Canada, Cuba and the Russian Federation.

363. An extensive procedural debate took place in connection with the above draft resolution and the proposed amendments thereto (see the summary record of the meeting (E/CN.4/2001/SR.73)).

364. The representative of Cuba proposed a roll-call vote on the third, fourth and tenth preambular paragraphs and paragraphs 2, 14 and 16 (*a*) of draft resolution E/CN.4/2001/L.56. The Commission decided by 42 votes to 3, with 7 abstentions, to retain the paragraphs. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Cameroon, Canada, Colombia, Costa Rica, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Latvia, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela, Zambia.

Against: China, Cuba, Libyan Arab Jamahiriya.

Abstaining: Burundi, Kenya, Pakistan, Qatar, Saudi Arabia, Syrian Arab Republic, Viet Nam.

365. Statements in explanation of vote before the vote were made by the representatives of Algeria and Japan.

366. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, as amended, which was adopted by 44 votes to none, with 8 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, Colombia, Costa Rica, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, India, Indonesia, Italy, Latvia, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela, Viet Nam, Zambia.

Against: None.

Abstaining: China, Cuba, Japan, Kenya, Libyan Arab Jamahiriya, Qatar, Saudi Arabia, Syrian Arab Republic.

367. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/47.

Question of enforced or involuntary disappearances

368. Also at the 73rd meeting, the representative of France introduced draft resolution E/CN.4/2001/L.57, sponsored by Argentina, Chile, Cuba, France, Hungary, Iceland, Ireland, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Poland, Portugal, Slovakia, Spain, Switzerland and Uruguay. Albania, Austria, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Costa Rica, Cyprus, Denmark, Ecuador, Finland, Georgia, Germany, Greece, Guatemala, Italy, Latvia, Madagascar, Morocco, the Netherlands, Nicaragua, Norway, the Republic of Korea, Romania, the former Yugoslav Republic of Macedonia, Senegal, Slovenia, South Africa, Sweden, the United Kingdom of Great Britain and Northern Ireland and Venezuela subsequently joined the sponsors.

369. The representative of France orally revised the draft resolution by replacing operative paragraphs 11 and 12 by two new paragraphs.

370. Statements in connection with the draft resolution were made by the representatives of Argentina, Canada, Cuba, France, India, Japan, the Libyan Arab Jamahiriya, Mexico (on behalf of the Group of Latin American and Caribbean States), South Africa, the United States of America and Uruguay.

371. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

372. A statement in explanation of vote before the vote was made by the representative of Canada.

373. The representative of the United States of America proposed to delete new operative paragraph 12 of draft resolution E/CN.4/2001/L.57. At the request of the representative of Mexico, a roll-call vote was taken on the proposal of the representative of the United States of America, which was rejected by 4 votes to 34, with 15 abstentions. The voting was as follows:

In favour: India, Japan, Malaysia, the United States of America.

Against: Argentina, Belgium, Brazil, Burundi, Cameroon, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, Italy, Latvia, Madagascar, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Swaziland, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Zambia.

Abstaining: Algeria, Canada, China, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Niger, Nigeria, Pakistan, Qatar, Saudi Arabia, Syrian Arab Republic, Thailand, Viet Nam.

374. The representative of the United States of America proposed to delete the words "and to the first session of the working group established under paragraph 12" of new operative paragraph 11 of draft resolution E/CN.4/2001/L.57. At the request of the representative of Mexico, a roll-call vote was taken on the proposal of the representative of the United States of America, which was rejected by 5 votes to 37, with 11 abstentions. The voting was as follows:

In favour: Canada, India, Japan, Kenya, United States of America.

Against: Argentina, Belgium, Brazil, Burundi, Cameroon, Colombia, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Guatemala, Italy, Latvia, Madagascar, Mauritius, Mexico, Niger, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Zambia.

Abstaining Algeria, China, Indonesia, Liberia, Libyan Arab Jamahiriya, Malaysia, Nigeria, Qatar, Saudi Arabia, Syrian Arab Republic, Viet Nam.

375. Statements in explanation of vote after the vote were made by the representatives of India, the Libyan Arab Jamahiriya and Pakistan.

376. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/46.

Torture and other cruel, inhuman or degrading treatment or punishment

377. At the 75th meeting, on 24 April 2001, the observer for Denmark introduced draft resolution E/CN.4/2001/L.47, sponsored by Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Mongolia, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Estonia, Belarus, Mauritius, Morocco, Panama, the Republic of Korea, South Africa and the former Yugoslav Republic of Macedonia subsequently joined the sponsors. The United States of America withdrew as a sponsor.

378. Also at the 75th meeting, the representative of Pakistan introduced proposed amendments (E/CN.4/2001/L.62) to draft resolution E/CN.4/2001/L.47, sponsored by Pakistan (on behalf of State members of the Organization of the Islamic Conference).

379. Paragraph 1 of the above proposed amendments was orally revised by the representative of Pakistan.

380. At the same meeting, the representative of Cuba introduced proposed amendments (E/CN.4/2001/L.65) to draft resolution E/CN.4/2001/L.47, sponsored by Cuba.

381. An extensive procedural debate took place in connection with draft resolution E/CN.4/2001/L.47 and the proposed amendments thereto (E/CN.4/2001/L.62 and E/CN.4/2001/L.65) (see the summary record of the meeting (E/CN.4/2001/SR.75)). Statements were made by the representatives of Algeria, Colombia, Cuba, the Democratic Republic of the Congo, France, Germany, Pakistan, Peru and the United Kingdom of Great Britain and Northern Ireland.

382. At the proposal of the Chairperson, the Commission decided to postpone consideration of draft resolution E/CN.4/2001/L.47 and the proposed amendments thereto (E/CN.4/2001/L.62 and E/CN.4/2001/L.65).

383. At the 77th meeting, on 25 April 2001, the Commission resumed consideration of draft resolution E/CN.4/2001/L.47 and the proposed amendments thereto (E/CN.4/2001/L.62 and E/CN.4/2001/L.65).

384. The observer for Denmark introduced the text agreed upon to revise paragraphs 3, 8 and 27 of draft resolution E/CN.4/2001/L.47.

385. The representative of Pakistan withdrew the proposed amendments (E/CN.4/2001/L.62) to draft resolution E/CN.4/2001/L.47, which read as follows:

"1. Amend operative paragraph 3 to read as follows:

> *Condemns in particular* any action or attempt by States or public officials to legalize or authorize torture under any circumstances, in any territory under their jurisdiction, including occupied territories, *inter alia*, through judicial decisions;

"2. In operative paragraph 8, insert the words production and trade after the word use.

"3. In operative paragraph 9, replace the words Special Rapporteur with the word Sub-Commission.

"4. Replace operative paragraph 27 with the following text:

> *Expresses its deep disappointment* that the Special Rapporteur did not fulfil his mandate contained in resolution S-5/1 of 19 October 2000 adopted by the Commission on Human Rights at its special session on Palestine, and urges him to visit the occupied Palestinian territories in compliance with this resolution without further delay;"

386. The representative of Cuba withdrew paragraph 2 of the proposed amendments (E/CN.4/2001/L.65) to draft resolution E/CN.4/2001/L.47, which read as follows:

"2. Amend operative paragraph 8 to read as follows:

> *Calls upon* all Governments to take effective legislative, administrative, judicial and other measures to prohibit the production, trade, export and use of equipment which is specifically designed to inflict torture and other cruel, inhuman or degrading treatment;"

387. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

388. At the request of the representative of Cuba, a roll-call was taken on paragraph 1 of the amendments (E/CN.4/2001/L.65), to draft resolution L.47, which was rejected by 14 votes to 25, with 13 abstentions. The voting was as follows:

In favour: Algeria, China, Cuba, Democratic Republic of the Congo, Kenya, Libyan Arab Jamahiriya, Malaysia, Pakistan, Qatar, Swaziland, Syrian Arab Republic, Venezuela, Viet Nam, Zambia.

Against: Argentina, Belgium, Brazil, Cameroon, Canada, Colombia, Costa Rica, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Mexico, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Burundi, Ecuador, India, Indonesia, Madagascar, Mauritius, Niger, Nigeria, Russian Federation, Saudi Arabia, Senegal, Thailand, Uruguay.

389. Statements in connection with draft resolution E/CN.4/2001/L.47, as orally revised, were made by the representatives of Algeria, Cuba, Latvia, Pakistan and the United States of America.

390. At the request of the representative of the United States of America, a roll-call was taken on his delegation's proposal to delete paragraph 27 of draft resolution E/CN.4/2001/L.47, as orally revised, which was rejected by 2 votes to 48, with 2 abstentions. The voting was as follows:

In favour: Guatemala, United States of America.

Against: Algeria, Argentina, Belgium, Brazil, Cameroon, Canada, China, Colombia, Costa Rica, Cuba, Czech Republic, Ecuador, France, Germany, India, Indonesia, Italy, Japan, Kenya, Latvia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Syrian Arab Republic, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Abstaining: Burundi, Democratic Republic of the Congo.

391. Statements in explanation of vote before the vote were made by the representatives of Algeria, Belgium, Canada, Cuba and the United Kingdom of Great Britain and Northern Ireland.

392. At the request of the representative of Cuba, a roll-call was taken on his delegation's proposal to delete paragraph 30 of draft resolution E/CN.4/2001/L.47, which was rejected by 2 votes to 29, with 21 abstentions. The voting was as follows:

In favour: Cuba, Syrian Arab Republic.

Against: Argentina, Belgium, Brazil, Canada, Costa Rica, Czech Republic, France, Germany, Guatemala, Italy, Japan, Kenya, Latvia, Madagascar, Mauritius, Mexico, Niger, Nigeria, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Algeria, Burundi, Cameroon, China, Colombia, Democratic Republic of the Congo, Ecuador, India, Indonesia, Libyan Arab Jamahiriya, Malaysia, Pakistan, Peru, Qatar, Saudi Arabia, Swaziland, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

393. Statements in explanation of vote after the vote were made by the representatives of Costa Rica, Japan and the United States of America.

394. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/62.

Creation of a pre-sessional working group on the administration of justice

395. At the 75th meeting, on 24 April 2001, the Commission considered draft decision 1 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

396. The representative of Norway introduced proposed amendments (E/CN.4/2001/L.36) to draft decision 1 of the Sub-Commission on the Promotion and Protection of Human Rights, sponsored by Norway.

397. The draft decision, as amended, was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/106.

398. After the adoption of the decision, the representative of Cuba made a statement in explanation of his delegation's position.

XII. Integration of the human rights of women and the gender perspective:

(*a*) Violence against women

399. The Commission considered agenda item 12 at its 44th to 46th meetings, on 9 April, at its 47th and 48th meetings, on 10 April, and at its 75th meeting, on 24 April 2001.

400. For the documents issued under agenda item 12, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

401. At the 44th meeting, on 9 April 2001:

(*a*) The Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, introduced her report (E/CN.4/2001/73 and Add.1-2);

(*b*) A statement was read out by a member of the secretariat on behalf of Ms. Angela King, Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and Advancement of Women;

(*c*) The Chairperson of the Commission on the Status of Women, Ms. Dubravka Simonovic, made a statement;

(*d*) The Chairperson of the Committee on the Elimination of Discrimination against Women, Ms. Charlotte Abaka, made a statement.

402. In the general debate on agenda item 12, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III.

Traffic in women and girls

403. At the 75th meeting, on 24 April 2001, the observer for the Philippines introduced draft resolution E/CN.4/2001/L.59, sponsored by Afghanistan, Albania, Angola, Argentina, Austria, Bangladesh, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Burundi, Cameroon, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, Gabon, Germany, Ghana, Greece, Guatemala, Haiti, Iceland, India, Indonesia, Ireland, Israel, Italy, Kenya, the Lao People's Democratic Republic, Liechtenstein, Luxembourg, Madagascar, Malaysia, Mexico, Nepal, Nigeria, Norway, Panama, Paraguay, Peru, the Philippines, Poland, the Republic of Korea, Romania, Rwanda, San Marino, Senegal, South Africa, Spain, Sri Lanka, Swaziland, Thailand, Togo, Turkey, Uganda, Ukraine, the United Republic of Tanzania, Uruguay and Viet Nam. Algeria, Azerbaijan, Cambodia,

Canada, Cuba, France, Georgia, Japan, Morocco, Nicaragua, Portugal, Switzerland, The former Yugoslav Republic of Macedonia, the United States of America and Zambia subsequently joined the sponsors.

404. Paragraph 14 of the draft resolution was orally revised by the observer for the Philippines.

405. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/48.

Elimination of violence against women

406. Also at the 75th meeting, the representative of Canada introduced draft resolution E/CN.4/2001/L.60, sponsored by Afghanistan, Albania, Australia, Belgium, Brazil, Bulgaria, Burundi, Cameroon, Canada, Chile, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Finland, Germany, Haiti, Hungary, Iceland, Ireland, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, New Zealand, Norway, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden and the United Kingdom of Great Britain and Northern Ireland. Angola, Argentina, Austria, Belarus, Bosnia and Herzegovina, Colombia, Costa Rica, Cyprus, the Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Georgia, Greece, Guatemala, Israel, Italy, Kenya, Latvia, Liberia, Madagascar, Mauritius, Mongolia, the Netherlands, Peru, the Republic of Moldova, The former Yugoslav Republic of Macedonia, Senegal, Switzerland, Tunisia, Turkey, the United Republic of Tanzania, Uruguay, Venezuela and Zambia subsequently joined the sponsors.

407. The seventh preambular paragraph of the draft resolution was orally revised by the representative of Canada.

408. Statements in connection with the draft resolution were made by the representatives of Algeria, the Russian Federation and the United States of America.

409. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/49.

Integrating the human rights of women throughout the United Nations system

410. Also at the 75th meeting, the observer for Chile introduced draft resolution E/CN.4/2001/L.61, sponsored by Albania, Australia, Bulgaria, Canada, Chile, Costa Rica, Croatia, Denmark, the Dominican Republic, Ecuador, El Salvador, Finland, Greece, Guatemala, Iceland, Israel, Italy, Liechtenstein, Lithuania, Mexico, the Netherlands, New Zealand, Norway, Panama, Peru, Portugal, Romania, Senegal, Spain, Sweden, Switzerland, Thailand, Tunisia, Uruguay and Venezuela. Argentina, Austria, Belarus, Belgium, Brazil, Cameroon, Cyprus, France, Germany, Georgia, Ireland, Luxembourg, Malaysia, Mauritius, Nicaragua, the Philippines, the Republic of Moldova, Slovenia, South Africa, the Republic of Korea, The former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

411. The observer for Chile orally revised the draft resolution by revising operative paragraph 27 and by inserting a new operative paragraph after operative paragraph 28.

412. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/50.

Traditional practices affecting the health of women and the girl child

413. Also at the 75th meeting, the Commission considered draft decision 4 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

414. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft decision.

415. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/107.

XIII. Rights of the child

416. The Commission considered agenda item 13 at its 49th meeting, on 10 April, at its 50th to 52nd meetings, on 11 April, at its 65th meeting, on 19 April, at its 75th meeting, on 24 April, and at its 79th meeting, on 25 April 2001.

417. For the documents issued under agenda item 13, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

418. At the 49th meeting, on 10 April 2001:

(*a*) The Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara A. Otunnu, introduced his report (E/CN.4/2001/76);

(*b*) The Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Ofelia Calcetas-Santos, introduced her report (E/CN.4/2001/78 and Add.1-2).

Also at the 49th meeting, the Special Rapporteur made her concluding remarks.

419. At the 65th meeting, on 19 April 2001, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, made a statement on the implementation of Commission resolution 2000/60 entitled "Abduction of children from northern Uganda".

420. In the general debate on agenda item 13, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Abduction of children from northern Uganda

421. At the 75th meeting, on 24 April 2001, the observer for Uganda introduced draft resolution E/CN.4/2001/L.89, sponsored by Burundi, Kenya, Uganda and the United Republic of Tanzania.

422. The observer for Uganda orally revised the draft resolution by deleting paragraph 12.

423. Statements in connection with the draft resolution were made by the representatives of Burundi, the Democratic Republic of the Congo and Kenya.

424. At the request of the representative of Kenya, the Chairperson proposed to postpone consideration of draft resolution E/CN.4/2001/L.89.

425. At the 79th meeting, on 25 April 2001, the Commission resumed consideration of draft resolution E/CN.4/2001/L.89.

426. Statements in connection with the draft resolution were made by the representatives of the Democratic Republic of the Congo and Kenya (on behalf of the Group of African States).

427. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/74.

428. After the adoption of the resolution, the representative of the United States of America made a statement in explanation of his delegation's position.

Rights of the child

429. At the 79th meeting, on 25 April 2001, the representative of Sweden (on behalf of the European Union and the Group of Latin American and Caribbean States) introduced draft resolution E/CN.4/2001/L.98, sponsored by Albania, Argentina, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, the Netherlands, Nicaragua, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Poland, Portugal, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Togo, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam and Zambia. Angola, Australia, Brazil, Canada, Ghana, Haiti, India, Madagascar, Mauritius, Nepal, New Zealand, the Philippines, the Russian Federation, Rwanda, Saudi Arabia and Tunisia subsequently joined the sponsors.

430. Paragraph 1 of the draft resolution was orally revised by the observer for Sweden.

431. Statements in connection with the draft resolution were made by the representatives of Cuba and Uruguay.

432. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

433. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/75.

434. After the adoption of the resolution the representative of the United States of America made a statement in explanation of his delegation's position.

XIV. Specific groups and individuals

(*a*) Migrant workers;

(*b*) Minorities;

(*c*) Mass exoduses and displaced persons;

(*d*) Other vulnerable groups and individuals

435. The Commission considered agenda item 14 at its 53rd meeting, on 11 April, at its 54th to 57th meetings, on 12 April, and at its 75th and 76th meetings, on 24 April 2001.

436. For the documents issued under agenda item 14, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

437. At the 53rd meeting, on 11 April 2001:

(*a*) A statement was read out by a member of the secretariat on behalf of Ms. Gabriela Rodríguez Pizarro, Special Rapporteur on the human rights of migrants, in connection with the Special Rapporteur's report (E/CN.4/2001/83 and Add.1);

(*b*) A statement was read out by a member of the secretariat on behalf of Swami Agnivesh, Chairperson of the Board of Trustees of the United Nations Voluntary Fund on Contemporary Forms of Slavery, in connection with the report of the Fund (E/CN.4/2001/82 and Add.1).

438. At the 54th meeting, on 12 April 2001, the Representative of the Secretary-General on internally displaced persons, Mr. Francis M. Deng, introduced his report (E/CN.4/2001/5 and Add.1-5);

439. In the general debate on agenda item 14, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS)

440. At the 75th meeting, on 24 April 2001, the representative of Poland introduced draft resolution E/CN.4/2001/L.69, sponsored by Angola, Australia, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, Estonia, Ethiopia, Finland, Georgia, Germany, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Madagascar, Mozambique, the Netherlands, Norway, Peru, the Philippines, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland,

Thailand and The former Yugoslav Republic of Macedonia. Austria, El Salvador, France, Ghana, Greece, Iceland, Israel, Kenya, Nicaragua, the Russian Federation, Senegal, South Africa, Swaziland, Togo, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia subsequently joined the sponsors.

441. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/51.

Human rights of migrants

442. Also at the 75th meeting, the representative of Mexico introduced draft resolution E/CN.4/2001/L.70, sponsored by Algeria, Angola, Argentina, Azerbaijan, Bangladesh, Belarus, Bolivia, Bosnia and Herzegovina, Brazil, Cape Verde, Colombia, Costa Rica, the Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Liberia, Madagascar, Mauritius, Mexico, Morocco, Nicaragua, Pakistan, Peru, the Philippines, Portugal, the Republic of the Congo, Senegal, Sri Lanka, Swaziland, Tunisia, Turkey and Uruguay. Chile, Cuba, Indonesia and Yemen subsequently joined the sponsors.

443. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/52.

444. After the adoption of the resolution, the representative of Japan made a statement in explanation of his delegation's position.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

445. At the 76th meeting, on 24 April 2001, the representative of Mexico introduced draft resolution E/CN.4/2001/L.71, sponsored by Azerbaijan, Bangladesh, Bolivia, Bosnia and Herzegovina, Cape Verde, Colombia, Ecuador, Egypt, El Salvador, Guatemala, Haiti, Mexico, Morocco, Peru, the Philippines, Portugal, the Republic of the Congo, Senegal, Sri Lanka, Tunisia and Turkey. Cuba, Pakistan and Uruguay subsequently joined the sponsors.

446. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/53.

Internally displaced persons

447. Also at the 76th meeting, the observer for Austria introduced draft resolution E/CN.4/2001/L.74, sponsored by Afghanistan, Albania, Angola, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Cyprus, the Democratic Republic of the Congo, Denmark, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand and the United States of America. Argentina, Colombia, Ecuador,

Ethiopia, France, Guatemala, Japan, Mauritius, Peru, the Republic of Korea, Romania, The former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Uruguay subsequently joined the sponsors.

448. The representative of Austria orally revised the draft resolution by deleting the fifth preambular paragraph and by inserting a new paragraph between paragraphs 6 and 7, with the content of the former fifth preambular paragraph.

449. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

450. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/54.

Rights of persons belonging to national or ethnic, religious and linguistic minorities

451. Also at the 76th meeting, the observer for Austria introduced draft resolution E/CN.4/2001/L.75, sponsored by Afghanistan, Albania, Australia, Austria, Belarus, Bosnia and Herzegovina, Cameroon, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Sri Lanka, Sweden, Switzerland and Thailand. Ecuador, Georgia, Mauritius, Peru, the Republic of Korea, the Russian Federation, The former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Ukraine and Uruguay subsequently joined the sponsors.

452. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/55.

453. In view of the adoption of resolution 2001/55, the Commission took no action on draft decision 13 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

Protection of migrants and their families

454. Also at the 76th meeting, the representative of Ecuador introduced draft resolution E/CN.4/2001/L.90, sponsored by Argentina, Ecuador, Haiti and Peru. Algeria, Bolivia, Chile, Cuba, El Salvador, Ethiopia, Guatemala, Senegal and South Africa subsequently joined the sponsors.

455. Paragraphs 5 and 7 of the draft resolution were orally revised by the representative of Ecuador.

456. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/56.

457. After the adoption of the resolution, the representative of India made a statement in explanation of his delegation's position.

Systematic rape, sexual slavery and slavery-like practices

458. Also at the 76th meeting, the Commission considered draft decision 5 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

459. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/108.

Report of the Working Group on Contemporary Forms of Slavery

460. Also at the 76th meeting, the Commission considered draft decision 10 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

461. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/109.

XV. Indigenous issues

462. The Commission considered agenda item 15 at its 57th meeting, on 12 April, at its 58th meeting, on 17 April, and at its 76th meeting, on 24 April 2001.

463. For the documents issued under agenda item 15, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

464. At the 57th meeting, on 12 April 2001, the Chairperson-Rapporteur of the Working Group on a draft United Nations declaration on the rights of indigenous peoples, Mr. Luis Enrique Chávez, introduced the report of the Working Group (E/CN.4/2001/85).

465. At the same meeting, Ms. Tove S. Petersen, in her capacity as a member of both the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations and of the Advisory Group of the United Nations Voluntary Fund for the International Decade of the World's Indigenous People, made statements on behalf of the Chairpersons of the two Funds.

466. In the general debate on agenda item 15, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Human rights and indigenous issues

467. At the 76th meeting, on 24 April 2001, the representative of Mexico (also on behalf of Guatemala) introduced draft resolution E/CN.4/2001/L.63, sponsored by Armenia, Belgium, Costa Rica, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, Germany, Greece, Guatemala, Italy, Mexico, the Netherlands, Norway, Panama, Peru, Romania, Rwanda, South Africa, Spain, Sweden and Switzerland. Algeria, Argentina, Burundi, Cameroon, Cyprus, France, Luxembourg and Portugal subsequently joined the sponsors.

468. Statements in connection with the draft resolution were made by the representatives of Canada (also on behalf of New Zealand) and the Russian Federation.

469. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

470. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/57.

471. After the adoption of the resolution, the representative of India made a statement in explanation of the position of States members of the Asian Group that are members of the Commission on Human Rights (China, India, Indonesia, Japan, Malaysia, Pakistan, Qatar,

the Republic of Korea, Saudi Arabia, the Syrian Arab Republic, Thailand and Viet Nam). The representative of the United States of America also made a statement in explanation of his delegation's position.

Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People

472. Also at the 76th meeting, the observer for New Zealand introduced draft resolution E/CN.4/2001/L.73, sponsored by Argentina, Brazil, Canada, Chile, Denmark, Ecuador, Estonia, Finland, France, Greece, Guatemala, Iceland, Ireland, Mexico, New Zealand, Norway, Peru, the Russian Federation, South Africa, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Australia, Cyprus, Latvia and Ukraine subsequently joined the sponsors.

473. Paragraph 24 of the draft resolution was orally revised by the observer for New Zealand.

474. Statements in connection with the draft resolution were made by the representative of Cuba and the observer for New Zealand.

475. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/59.

476. After the adoption of the resolution, the representative of the United States of America made a statement in explanation of his delegation's position.

477. In view of the adoption of resolution 2001/59, the Commission took no action on draft decisions 6 and 8 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

478. Also at the 76th meeting, the representative of Canada introduced draft resolution E/CN.4/2001/L.76, sponsored by Argentina, Belgium, Brazil, Canada, Chile, Costa Rica, Denmark, Estonia, Finland, France, Greece, Guatemala, Mexico, New Zealand, Norway, Peru, South Africa, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Albania, Australia, Cyprus, Ecuador, Latvia, Spain and the United States of America subsequently joined the sponsors.

479. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/58.

480. After the adoption of the resolution, the representative of the United States of America made a statement in explanation of his delegation's position.

Working Group on Indigenous Populations

481. Also at the 76th meeting, the Commission considered draft decision 7 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

482. A statement in connection with the draft resolution was made by the representative of Peru.

483. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/110.

XVI. Report of the Sub-Commission on the Promotion and Protection of Human Rights:

(*a*) Report and draft decisions;

(*b*) Election of members

484. The Commission considered agenda item 16 at its 58th meeting, on 17 April, and at its 76th meeting, on 24 April 2001.

485. For the documents issued under agenda item 16, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

486. At the 58th meeting of the Commission, on 17 April 2001, the Chairperson of the fifty-second session of the Sub-Commission on the Promotion and Protection of Human Rights, Ms. Iulia Antoanella Motoc, introduced her report (E/CN.4/2001/86). At the same meeting, the Chairperson of the Sub-Commission made her concluding remarks.

487. In the general debate on agenda item 16, statements were made by members of the Commission and non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Work of the Sub-Commission on the Promotion and Protection of Human Rights

488. At the 76th meeting, on 24 April 2001, the observer for Luxembourg introduced draft resolution E/CN.4/2001/L.100, sponsored by Albania, Australia, Austria, Belgium, Canada, Denmark, Estonia, Finland, Germany, Guatemala, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Bulgaria, France, Georgia, Greece, Japan, Monaco, Portugal, Sweden, the Russian Federation and Ukraine subsequently joined the sponsors.

489. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

490. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2001/60.

XVII. Promotion and protection of human rights:

(*a*) Status of the International Covenants on Human Rights;

(*b*) Human rights defenders;

(*c*) Information and education;

(*d*) Science and environment

491. The Commission considered agenda item 17 at its 60th meeting, on 17 April, at its 64th and 65th meetings, on 19 April, and at its 77th and 78th meetings, on 25 April 2001.

492. For the documents issued under agenda item 17, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

493. At the 60th meeting, on 17 April 2001, the Special Representative of the Secretary-General on human rights defenders, Ms. Hina Jilani, introduced her report (E/CN.4/2001/94).

494. In the general debate on agenda item 17, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III.

United Nations Decade for Human Rights Education (1995-2004)

495. At the 77th meeting, on 25 April 2001, the representative of Costa Rica introduced draft resolution E/CN.4/2001/L.72, sponsored by Chile, Costa Rica, Honduras, Spain, Tunisia, Uruguay. Algeria, Australia, Austria, Belarus, Cameroon, Canada, Denmark, the Dominican Republic, El Salvador, Japan, Mexico, Nicaragua, Norway, Peru, the Philippines, Portugal, the Republic of Moldova, Senegal, Slovakia, Ukraine and Venezuela subsequently joined the sponsors.

496. The representative of Costa Rica orally revised the draft resolution by adding a new tenth preambular paragraph and revising operative paragraphs 3, 4 and 5.

497. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/61.

Science and the environment

498. Also at the 77th meeting, the representative of South Africa introduced draft decision E/CN.4/2001/L.79.

499. The representative of South Africa orally revised the draft decision.

500. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

501. The draft decision, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/111.

Fiftieth anniversary of the 1951 Convention relating to the Status of Refugees and the Global Consultations on International Protection

502. Also at the 77th meeting, the Commission considered draft decision E/CN.4/2001/L.80, which was subsequently withdrawn by the Chairperson. The draft decision read as follows:

> **"Fiftieth anniversary of the 1951 Convention relating to the Status of Refugees and the Global Consultations on International Protection**
>
> "The Commission on Human Rights, taking note of the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees, one of the first human rights treaties, encourages States that have not yet adhered to the Convention and its 1967 Protocol to do so, and at the same time welcomes the Global Consultations on International Protection launched by the Office of the United Nations High Commissioner for Refugees and appeals to States to participate actively in order to consolidate further the international refugee protection regime and achieve full and effective implementation of the 1951 Convention and its 1967 Protocol."

Development of public information activities in the field of human rights, including the World Public Information Campaign on Human Rights

503. Also at the 77th meeting, the representative of Italy introduced draft resolution E/CN.4/2001/L.82, sponsored by Argentina, Australia, Austria, Canada, Costa Rica, Croatia, Denmark, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Kenya, Luxembourg, Malta, Norway, Peru, Poland, Portugal, the Russian Federation, San Marino, Senegal, Slovenia, Spain, Switzerland, Thailand, Tunisia, the United States of America and Venezuela. Albania, Algeria, Cameroon, Georgia, the Republic of Moldova, Romania, South Africa and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

504. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/63.

Human rights defenders

505. Also at the 77th meeting, the representative of Norway introduced draft resolution E/CN.4/2001/L.83, sponsored by Albania, Argentina, Australia, Austria, Belgium, Botswana, Brazil, Bulgaria, Cameroon, Canada, Central African Republic, Costa Rica, Croatia,

the Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Monaco, Morocco, Nepal, the Netherlands, New Zealand, Niger, Nigeria, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela. Belarus, Japan, Pakistan, Panama, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine and Uruguay subsequently joined the sponsors.

506. A statement in connection with the draft resolution was made by the representative of Pakistan.

507. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/64.

508. After the adoption of the resolution, the representative of the Syrian Arab Republic made a statement in explanation of his delegation's position.

Fundamental standards of humanity

509. Also at the 77th meeting, the representative of Norway introduced draft decision E/CN.4/2001/L.85, sponsored by Albania, Argentina, Austria, Bulgaria, Canada, Chile, Costa Rica, Denmark, Ecuador, Finland, Germany, Iceland, Ireland, Mexico, Norway, Portugal, Senegal, South Africa, Sweden and Switzerland. Georgia, Madagascar and Ukraine subsequently joined the sponsors.

510. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/112.

Promotion of a democratic and equitable international order

511. At the 77th meeting, the representative of Cuba introduced draft resolution E/CN.4/2001/L.86 sponsored by Algeria, Angola, Burundi, China, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, the Dominican Republic, Egypt, Eritrea, Ghana, Haiti, Iraq, Kenya, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Nigeria, Pakistan, the Republic of the Congo, Rwanda, the Sudan, Swaziland, the Syrian Arab Republic, Togo, the United Republic of Tanzania and Viet Nam. Yemen subsequently joined the sponsors.

512. Statements in explanation of vote before the vote were made by the representatives of Algeria and Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement).

513. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 32 votes to 16, with 4 abstentions. The voting was as follows:

In favour:	Algeria, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.
Against:	Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.
Abstaining:	Argentina, Guatemala, Peru, Uruguay.

514. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/65.

Convention on the Prevention and Punishment of the Crime of Genocide

515. Also at the 77th meeting, the observer for Armenia introduced draft resolution E/CN.4/2001/L.92, sponsored by Angola, Argentina, Armenia, Belarus, Brazil, Bulgaria, Burundi, Côte d'Ivoire, Croatia, Cyprus, Guatemala, Israel, Kenya, Mexico and Rwanda. Cameroon, Colombia, Ecuador, Ethiopia, Georgia, Peru and Ukraine subsequently joined the sponsors.

516. A statement in connection with the draft resolution was made by the representative of Algeria.

517. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/66.

518. After the adoption of the resolution, the representative of the United States of America made a statement in explanation of his delegation's position.

Enhancement of international cooperation in the field of human rights

519. At the 78th meeting, on 25 April 2001, the representative of South Africa introduced draft resolution E/CN.4/2001/L.78, sponsored by South Africa (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China).

520. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/67.

The question of the death penalty

521. Also at the 78th meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.93, sponsored by Albania, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxemburg, Malta, Mauritius, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Cambodia, Mauritius, Monaco, the Republic of Moldova and the Russian Federation subsequently joined the sponsors.

522. A statement in connection with the draft resolution was made by the representative of India.

523. At the request of the representative of India, a roll-call vote was taken on paragraphs 4 (*f*), 5 (*b*) and 6 of the draft resolution. The Commission decided, by 26 votes to 18, with 7 abstentions, to retain these paragraphs. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Italy, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Romania, Russian Federation, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: Algeria, China, Cuba, India, Indonesia, Japan, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Qatar, Republic of Korea, Saudi Arabia, Swaziland, Syrian Arab Republic, Thailand, United States of America, Viet Nam.

Abstaining: Burundi, Cameroon, Guatemala, Kenya, Madagascar, Senegal, Zambia.

524. Statements in explanation of vote before the vote were made by the representatives of Algeria, the Libyan Arab Jamahiriya, Thailand and the United States of America.

525. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution as a whole, which was adopted by 27 votes to 18, with 7 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, Italy, Latvia, Mauritius, Mexico, Niger, Norway, Peru, Poland, Portugal, Romania, Russian Federation, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: Algeria, Burundi, China, Indonesia, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Qatar, Republic of Korea, Saudi Arabia, Swaziland, Syrian Arab Republic, Thailand, United States of America, Viet Nam.

Abstaining: Cameroon, Cuba, Guatemala, India, Madagascar, Senegal, Zambia.

526. A statement in explanation of vote after the vote was made by the representative of Saudi Arabia (also on behalf of Algeria, Burundi, China, Indonesia, Japan, Kenya, Liberia, the Libyan Arab Jamahiriya, Malaysia, Nigeria, Qatar, Swaziland, the Syrian Arab Republic and Thailand).

527. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/68.

528. In view of the adoption of resolution 2001/68, the Commission took no action on draft decision 9, recommended by the Sub-Commission on the Promotion and Protection of Human Rights (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

Promotion of the right of peoples to peace

529. Also at the 78th meeting, the representative of Cuba introduced draft resolution E/CN.4/2001/L.95 sponsored by Algeria, Angola, Burundi, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ghana, Haiti, the Libyan Arab Jamahiriya, the Republic of the Congo, Rwanda, the Sudan and Togo. Kenya, Madagascar, Panama, Tunisia and Yemen subsequently joined the sponsors.

530. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement), Canada (also on behalf of Norway) and the United States of America.

531. At the request of the representative of Belgium, a roll-call vote was taken on the draft resolution, which was adopted by 29 votes to 16, with 7 abstentions. The voting was as follows:

In favour:	Algeria, Burundi, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.
Against:	Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.
Abstaining:	Argentina, Brazil, Cameroon, Colombia, Guatemala, India, Senegal.

532. A statement in explanation of vote after the vote was made by the representative of India.

533. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/69.

Reservations to human rights treaties

534. Also at the 78th meeting, the representative of the India introduced draft decision E/CN.4/2001/L.103, sponsored by India (on behalf of the Group of Asian States).

535. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/113.

536. In view of the adoption of decision 2001/113, the Commission took no action on draft decision 12 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

Observance of the human rights and fundamental freedoms contained in the Universal Declaration of Human Rights by States which are not parties to the International Covenants on Human Rights

537. Also at the 78th meeting, the representative of Saudi Arabia orally proposed a new decision replacing draft decision 11 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

538. The draft decision proposed by the representative of Saudi Arabia was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/114.

539. In view of the adoption of decision 2001/114, the Commission took no action on draft decision 11 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

540. After the adoption of the decision, the representatives of Belgium, France, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland made statements in explanation of their delegations' positions.

Impunity

541. Also at the 78th meeting, the representative of Canada introduced draft resolution E/CN.4/2001/L.77/Rev.1, sponsored by Albania, Australia, Austria, Cameroon, Canada, Chile, Cyprus, the Czech Republic, Denmark, Finland, Germany, Guatemala, Iceland, Ireland, Italy, Liechtenstein, Lithuania, New Zealand, the Republic of Korea, Slovenia, Spain, Switzerland, Uganda and the United Kingdom of Great Britain and Northern Ireland. Angola, Armenia, Belgium, Bosnia and Herzegovina, Costa Rica, Ecuador, Ethiopia, Georgia, Greece, Haiti, Hungary, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, South Africa, Sweden and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

542. The representative of Canada orally revised the eleventh preambular paragraph and operative paragraph 7 of the draft resolution.

543. Statements in explanation of vote before the vote were made by the representatives of Algeria, China, Cuba and India.

544. At the request of the representative of China, a roll-call vote was taken on the draft resolution, which was adopted by 39 votes to none, with 13 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Cameroon, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Indonesia, Italy, Japan, Kenya, Latvia, Madagascar, Mauritius, Mexico, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Zambia.

Against: None.

Abstaining: China, Cuba, Democratic Republic of the Congo, India, Libyan Arab Jamahiriya, Malaysia, Pakistan, Qatar, Russian Federation, Syrian Arab Republic, Thailand, United States of America, Viet Nam.

545. Statements in explanation of vote after the vote were made by the representatives of Colombia, Norway and the United States of America.

546. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/70.

Human rights and bioethics

547. Also at the 78th meeting, the representative of France introduced draft resolution E/CN.4/2001/L.87, sponsored by Bangladesh, Belgium, Cuba, the Democratic Republic of the Congo, France, Germany, Monaco, Portugal, Romania, San Marino, Slovenia, South Africa and Spain. Algeria, Burundi, Cameroon, Costa Rica, Georgia, Greece, Israel, the Republic of the Congo, and Sweden subsequently joined the sponsors.

548. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/71.

The role of good governance in the promotion of human rights

549. Also at the 78th meeting, the representative of South Africa introduced draft resolution E/CN.4/2001/L.88 sponsored by Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, the Democratic Republic of the Congo, Denmark, Ecuador, Finland, Georgia, Germany, Guatemala, Hungary, Iceland, Ireland, Israel, Japan, Latvia, Liechtenstein, Luxembourg, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Azerbaijan, Cameroon, Costa Rica, Cyprus, Ghana, Morocco, the Netherlands and San Marino subsequently joined the sponsors.

550. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/72.

551. After the adoption of the resolution, the representatives of Algeria and India made statements in explanation of their delegations' positions.

Human rights and international solidarity

552. Also at the 78th meeting, the representative of Cuba introduced draft resolution E/CN.4/2001/L.96 sponsored by Algeria, Angola, the Central African Republic, China, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ethiopia, Ghana, Haiti, Iraq, Mauritania, the Republic of the Congo, Rwanda, the Sudan and Togo. India, Kenya, the Libyan Arab Jamahiriya, Madagascar, Tunisia and Yemen subsequently joined the sponsors.

553. The representative of Cuba orally revised the draft resolution by deleting operative paragraphs 4, 5 and 6.

554. A statement in connection with the draft resolution was made by the representative of Japan.

555. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement), Canada (also on behalf of Norway) and France.

556. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a roll-call vote was taken on the draft resolution, which was adopted by 36 votes to 16, with no abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: None.

557. A statement in explanation of vote after the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

558. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/73.

Human rights and human responsibilities

559. Also at the 78th meeting, the Commission considered draft decision 14 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. I).

560. A statement in connection with the draft decision was made by the representative of Cuba.

561. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

562. Statements in explanation of vote before the vote were made by the representatives of Algeria, Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement) and Cuba.

563. At the request of the representative of the Belgium, a roll-call vote was taken on the draft decision, which was adopted by 34 votes to 14, with 4 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Costa Rica, Guatemala, Norway, Republic of Korea.

564. A statement in explanation of vote after the vote was made by the representative of Costa Rica.

565. For the text of the decision as adopted, see chapter II, section B, decision 2001/115.

XVIII. Effective functioning of human rights mechanisms:

(*a*) Treaty bodies;

(*b*) National institutions and regional arrangements;

(*c*) Adaptation and strengthening of the United Nations machinery for human rights

566. The Commission considered agenda item 18 at its 65th to 67th meetings, on 19 April, and at its 79th meeting, on 25 April 2001.

567. For the documents issued under agenda item 18, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

568. In the general debate on agenda item 18, statements were made by members of the Commission, observers, representatives of national institutions and of non-governmental organizations. For a detailed list of speakers, see annex III.

Equitable geographical distribution of the membership of the human rights treaty bodies

569. At the 79th meeting, on 25 April 2001, the representative of Cuba introduced draft resolution E/CN.4/2001/L.64, sponsored by Algeria, Angola, Bangladesh, Belarus, Cameroon, China, Côte d'Ivoire, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ethiopia, Haiti, Iraq, the Islamic Republic of Iran, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, the Republic of the Congo, the Russian Federation, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Togo, the United Republic of Tanzania, Viet Nam and Yemen. The Dominican Republic and Tunisia subsequently joined the sponsors.

570. A statement in explanation of vote before the vote was made by the representative of Canada (also on behalf of Norway).

571. At the request of the representative of Canada, a roll-call vote was taken on the draft resolution, which was adopted by 35 votes to 15, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Guatemala, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Republic of Korea.

572. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/76.

Regional cooperation for the promotion and protection of human rights in the Asian and Pacific region

573. Also at the 79th meeting, the representative of Thailand introduced draft resolution E/CN.4/2001/L.84, sponsored by Australia, Bangladesh, Bhutan, China, India, Indonesia, the Islamic Republic of Iran, Japan, Mongolia, Nepal, New Zealand, Norway, Pakistan, the Philippines, the Republic of Korea, Saudi Arabia, Sri Lanka and Thailand. Cyprus subsequently joined the sponsors.

574. The representative of Thailand orally revised paragraphs 12 and 13 of the draft resolution.

575. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/77.

Human rights and thematic procedures

576. Also at the 79th meeting, the representative of the Czech Republic introduced draft resolution E/CN.4/2001/L.91, sponsored by Albania, Australia, Bulgaria, Canada, the Czech Republic, Denmark, Finland, Germany, Hungary, Iceland, Lithuania, Malta, Mexico, New Zealand, Romania, Slovakia, Spain and the United Kingdom of Great Britain and Northern Ireland. Belarus, Georgia, Guatemala, the Republic of Korea, Sweden and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

577. At the same meeting, the representative of Cuba introduced proposed amendments (E/CN.4/2001/L.104) to draft resolution E/CN.4/2001/L.91, sponsored by Cuba.

578. A statement in connection with the draft resolution and the proposed amendments was made by the representative of Cuba.

579. At the request of the representative of the Czech Republic, the Commission decided to postpone consideration of draft resolution E/CN.4/2001/L.91 and the proposed amendments thereto contained in document E/CN.4/2001/L.104 until its next session.

580. Draft resolution E/CN.4/2001/L.91 reads as follows:

"Human rights and thematic procedures

"*The Commission on Human Rights,*

"*Considering* that thematic procedures established by the Commission with regard to the consideration of questions related to the promotion and protection of all human rights, being a major achievement and representing an essential element of the United Nations efforts to promote and protect internationally recognized human rights, have an important role among its human rights monitoring mechanisms,

"*Emphasizing* the importance of the impartiality, objectivity and independence of the thematic procedures as well as the need for due attention to violations of all human rights wherever they may occur,

"*Noting with satisfaction* that an increasing number of Governments have developed a working relationship with the thematic procedures, in particular in the form of invitations to visit, responses to requests for information and implementation of recommendations, and that numerous non-governmental organizations have also developed a working relationship with the thematic procedures,

"*Welcoming* the fact that a number of Governments have announced that they will always accept requests to visit from thematic procedures and inviting other Governments to consider doing the same,

"*Recalling* General Assembly resolution 53/144 of 9 December 1998 by which the General Assembly adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and recalling its own resolution 2000/61 of 26 April 2000 on the implementation of the Declaration,

"*Emphasizing* the obligation of all Governments not to subject individuals, organizations or groups of persons who have provided information to the special procedures to adverse treatment as a result of such action,

"*Recalling* the applicability of the provisions of the Convention on the Privileges and Immunities of the United Nations to the work of the experts of the special procedures system in the exercise of their functions,

"*Recalling also* all its resolutions on human rights and thematic procedures,

"*Recalling further*:

(*a*) Recommendations concerning thematic procedures contained in the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights, which called for the strengthening of special procedures, (*b*) The Secretary-General's programme for United Nations reform (A/51/950 and Add.1-7), which calls for mainstreaming human rights in United Nations activities,

(*c*) The report of the Inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission (Commission decision 2000/109, annex),

"*Mindful* of the request of the Secretary-General to the United Nations High Commissioner for Human Rights to review the human rights machinery and develop recommendations on possible ways to streamline and rationalize it, with a view to strengthening, *inter alia*, the special procedures,

"*Welcoming* the organization by the High Commissioner of annual meetings of the holders of mandates, as recommended by the World Conference on Human Rights, and the efforts to coordinate activities among various mandates in the areas of urgent actions, missions to the field and relevant meetings and consultations, so as to enhance the effectiveness of their respective mandates, taking into account the need to avoid unnecessary duplication and overlapping,

"*Noting* that some human rights violations are specific to or primarily directed against women, and that the identification and reporting of these violations demand specific awareness and sensitivity,

"*Noting also* that children and members of other vulnerable groups are frequently subject to abuses of their human rights and deserve specific attention when reporting on violations of human rights,

"1. *Commends* those Governments that have invited the thematic special rapporteurs, representatives, experts or working groups to visit their countries and developed other forms of intensive cooperation with the thematic procedures;

"2. *Encourages* all Governments to cooperate with the Commission through the pertinent thematic procedures by:

(*a*) Responding without undue delay to requests for information made to them through the thematic procedures, so that the procedures may carry out their mandates effectively;

(*b*) Considering inviting thematic special rapporteurs, representatives, experts and working groups to visit their countries;

(*c*) Considering follow-up visits with a view to the effective implementation of recommendations by the thematic procedures concerned;

"3. *Invites* the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed without undue delay on the progress made towards their implementation;

"4. *Invites* non-governmental organizations to continue and to strengthen their cooperation with thematic procedures and to ensure that the material provided is as detailed, concise and accurate as possible and falls under the mandate of these procedures;

"5. *Requests* the thematic special rapporteurs, representatives, experts and working groups:

(*a*) To make recommendations for the prevention of human rights violations within their respective mandates;

(*b*) To follow closely and reflect in their reports progress made by Governments in the investigations carried out within their respective mandates;

(*c*) To continue close cooperation with relevant treaty bodies and country rapporteurs;

(*d*) To focus the limited resources in ways that best advance the fulfilment of their mandates;

(*e*) To provide concise and focused reports within their respective mandates;

(*f*) To include in their reports information provided by Governments on follow-up action, as well as their own observations thereon, including in regard to both problems and improvements, as appropriate;

(*g*) To include regularly in their reports gender-disaggregated data and to address the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against women, or to which women are particularly vulnerable, in order to ensure the effective protection of their human rights;

(*h*) To address also in their reports the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against children, or to which children are particularly vulnerable, in order to ensure the effective protection of their human rights, and, if possible, to include also age-disaggregated data;

"6. *Also requests* the thematic special rapporteurs, representatives, experts and working groups to include in their reports comments on problems of responsiveness and the result of analyses, as appropriate, in order to carry out their mandates even more effectively, and to include also in their reports suggestions as to areas where Governments might request relevant assistance through the programme of advisory services administered by the Office of the High Commissioner for Human Rights;

"7. *Requests* the Secretary-General, taking note of the recommendations of the meetings of the special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, and also of the joint meeting of chairpersons of treaty bodies, to convene further such periodic meetings in order to enable participants to continue to exchange views, cooperate and coordinate more closely within their respective mandates and make recommendations to that effect so as to enhance the overall effectiveness of the thematic procedures;

"8. *Encourages* the United Nations High Commissioner for Human Rights, including in the follow-up to the five-year review of the Vienna Declaration and Programme of Action, to further strengthen cooperation among the thematic special rapporteurs/representatives, experts, members and chairpersons of working groups of the Commission and other relevant United Nations bodies, including the human rights treaty bodies, with a view to promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;

"9. *Suggests* that the special rapporteurs/representatives, experts and working groups of the special procedures of the Commission, acting within their mandates, consider how they can also promote public awareness about human rights and about the particular situation of individuals, groups and organs of society who promote and protect human rights and fundamental freedoms;

"10. *Requests* the Secretary-General:

(*a*) To issue annually and sufficiently early, in close collaboration with the thematic special rapporteurs, representatives, experts and working groups, their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission;

(*b*) To present annually a list of all persons currently mandated to carry out the thematic and country procedures, including their country of origin, in an annex to the annotations to the provisional agenda of each session of the Commission;

"11. *Also requests* the Secretary-General, in implementing the United Nations budget for the current biennium, to ensure the availability of such resources as are necessary for the Office of the High Commissioner for Human Rights to support the effective implementation of all thematic mandates, including any additional tasks entrusted to the thematic special rapporteurs, representatives, experts and working groups by the appropriate United Nations organs;

"12. *Decides* to continue its consideration of this question at its fifty-ninth session."

581. The proposed amendments (E/CN.4/2001/L.104) to draft resolution E/CN.4/2001/L.91 read as follows:

"Amendments to draft resolution E/CN.4/2001/L.91

"1. Add a new preambular paragraph after the present ninth preambular paragraph, with the following wording:

Recalling further Commission resolution S-5/1 of 19 October 2000,

"2. Add a new preambular paragraph after the present tenth preambular paragraph with the following wording:

Deeply concerned that the level of attention which the reports of the special thematic mechanisms receive at Commission sessions is inadequate, and convinced that Commission's debates on those reports should have a more interactive character than at present,

"3. Add a new operative paragraph after the present operative paragraph 3, with the following wording:

Deeply regrets that for various reasons none of the mandate holders of the special thematic procedures who were requested to undertake missions to the occupied Palestinian territories by its resolution S-5/1, carried out the Commission's request.

"4. Add the following subparagraph (*c*) to the present operative paragraph 10:

To prepare the list of suitable individuals to hold mandates in the Commission's network of thematic special procedures referred to in paragraph 6 of the report of the inter-sessional open-ended Working Group on Enhancing the Effectiveness of the Mechanisms of the Commission (E/CN.4/2000/112), and to submit the list to the Commission at its fifty-eighth session;

"5. Substitute the words 'fifty-eighth' for the words 'fifty-ninth' in the present operative paragraph 12.

"6. Add a new operative paragraph after the present operative paragraph 12, with the following wording:

13. *Decides* to undertake a thorough and objective review of all mandates within the Commission's network of thematic special procedures at its fifty-ninth session, in accordance with the provisions of paragraph 13 of the report of the inter-sessional Working Group."

582. For the text of the decision as adopted, see chapter II, section B, decision 2001/116.

Composition of the staff of the Office of the United Nations High Commissioner for Human Rights

583. Also at the 79th meeting, the representative of Cuba introduced draft resolution E/CN.4/2001/L.97, sponsored by Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Belarus, Bhutan, Burundi, Cameroon, China, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Ethiopia, Ghana, Haiti, Honduras, India, Indonesia, Iraq, the Islamic Republic of Iran, Kenya, Liberia, the Libyan Arab Jamahiriya, Mauritania, Mexico, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, the Philippines, Qatar, the Republic of the Congo, Rwanda, Saudi Arabia, Sri Lanka, the Sudan, Swaziland, Togo, Tunisia, Turkey, Uruguay, Venezuela, Viet Nam and Yemen. Colombia, the Dominican Republic, Lebanon, Madagascar, Malaysia, Myanmar, Nicaragua, the Syrian Arab Republic, Uganda, the United Arab Emirates and Zambia subsequently joined the sponsors.

584. The representative of Cuba orally revised the draft resolution by deleting paragraph 6.

585. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania - aligned themselves with the statement), Norway (also on behalf of Canada) and the United States of America.

586. The representative of Belgium requested a separate vote on paragraphs 7 and 14. At the request of the representative of Cuba, a roll-call vote was taken on those paragraphs. The Commission decided, by 33 votes to 16, with 3 abstentions, to retain the paragraphs. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Saudi Arabia, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Guatemala, Russian Federation, Senegal.

587. At the request of the representatives of Belgium and Cuba, a roll-call vote was taken on draft resolution E/CN.4/2001/L.97, as orally revised, which was adopted by 34 votes to 16, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Guatemala, Russian Federation.

588. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/78.

Regional arrangements for the promotion and protection of human rights

589. Also at the 79th meeting, the representative of Belgium introduced draft resolution E/CN.4/2001/L.99, sponsored by Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Lithuania, Luxembourg, Madagascar, Monaco, Morocco, Mozambique, New Zealand, Norway, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Senegal, Slovenia, South Africa, Spain, Thailand, the United States of America and Venezuela. Georgia, Malta, Mauritius, Mongolia, Panama, the Republic of Moldova and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

590. The sixth preambular paragraph and paragraphs 4 and 10 of the draft resolution were orally revised by the representative of Belgium.

591. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/79.

National institutions for the promotion and protection of human rights

592. Also at the 79th meeting, the observer for Australia introduced draft resolution E/CN.4/2001/L.102, sponsored by Afghanistan, Albania, Australia, Austria, Bangladesh, Belarus, Cameroon, Canada, Costa Rica, Croatia, Denmark, France, Greece, Iceland, Indonesia, Ireland, Israel, Italy, Latvia, Luxembourg, Madagascar, Mexico, New Zealand, Niger, Norway, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Slovakia, South Africa, Spain, Sri Lanka, Thailand and Tunisia. Angola, Argentina,

Armenia, Colombia, Cyprus, the Democratic Republic of the Congo, Ecuador, El Salvador, Ethiopia, Georgia, Germany, Guatemala, India, Mauritius, Morocco, Rwanda, Senegal, Slovenia, Sweden, The former Yugoslav Republic of Macedonia, Togo, Turkey, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela subsequently joined the sponsors.

593. The representative of Australia orally revised the draft resolution by revising the eighth preambular paragraph and paragraphs 4 and 8, and by inserting a new paragraph 3.

594. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/80.

XIX. Advisory services and technical cooperation in the field of human rights

595. The Commission considered agenda item 19 at its 74th meeting, on 24 April, and at its 79th meeting, on 25 April 2001.

596. For the documents issued under agenda item 19, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

597. At the 74th meeting, on 24 April 2001:

(*a*) Mr. Peter Leuprecht, Special Representative of the Secretary-General for Human Rights in Cambodia, introduced his report (E/CN.4/2001/103);

(*b*) A statement was read out by a member of the secretariat on behalf of Mr. Adama Dieng, independent expert on the situation of human rights in Haiti, in connection with the independent expert's report (E/CN.4/2001/106);

(*c*) Ms. Leila I. Takla, Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, made a statement.

598. In the general debate on agenda item 19, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III.

Assistance to Somalia in the field of human rights

599. At the 79th meeting, on 25 April 2001, the representative of Italy introduced draft resolution E/CN.4/2001/L.81, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Costa Rica, Denmark, Finland, France, Germany, Ireland, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malta, New Zealand, Norway, Portugal, Romania, San Marino, South Africa, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Mauritius subsequently joined the sponsors.

600. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

601. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/81.

Situation of human rights in Cambodia

602. Also at the 79th meeting, the representative of Japan introduced draft resolution E/CN.4/2001/L.101, sponsored by Australia, Belgium, Canada, Denmark, Finland, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg,

the Netherlands, New Zealand, Norway, Portugal, Romania, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. Austria, France, Greece and the United States of America subsequently joined the sponsors.

603. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

604. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/82.

Technical cooperation and the situation of human rights in Haiti

605. Also at the 79th meeting, the Chairperson, on behalf of the Commission, made a statement concerning technical cooperation and the situation of human rights in Haiti. For the text, see paragraph 606 below.

Chairperson's statement

606. During the consideration of agenda item 19, the Chairperson made one statement, the text of which reads as follows:

> **"Technical cooperation and the situation of human rights in Haiti**
>
> "The Commission welcomes the visit of the Minister for Foreign Affairs of Haiti to this body and takes note of his recognition that, while there has been some progress on human rights in Haiti, problems persist with regard to the administration of justice, impunity, prolonged detention and prison conditions.
>
> "The Commission also takes note of the request by the Government of Haiti for assistance in addressing these issues and in improving human rights, and pledges to give this request serious consideration, while recognizing that primary responsibility remains with the Haitians.
>
> "The Commission encourages the Government of Haiti and the Office of the United Nations High Commissioner for Human Rights (OHCHR) to consider seriously undertaking a programme of technical cooperation and assistance, particularly for capacity-building in, *inter alia*, State institutions, the Office of the Ombudsman, the Judges School, the administration of justice and civil society. Such a programme might include an OHCHR office in Haiti at some point in the future.
>
> "The Commission calls upon the Government of Haiti to consider ratifying the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocols to the International Covenant on Civil and Political Rights.

"The Commission expresses deep concern that a political impasse in Haiti remains unresolved and stems originally from a flawed method for counting first-round results and other electoral controversies that compromised the May 2000 legislative elections. It deeply regrets that mediation efforts have not succeeded in achieving a fruitful dialogue.

"The Commission notes that the November 2000 presidential and partial legislative elections adhered to constitutional process and relevant electoral laws, but regrets that those elections did not benefit from the full participation of Haiti's diverse political actors and civil society. It welcomes commitments made by the Government of Haiti to rectify the problems associated with the May 2000 legislative elections and other electoral and political issues, and urges negotiation towards a national accord.

"The Commission welcomes and encourages the mediation efforts of the Organization of American States, the Caribbean Community and members of Haitian civil society to bring about dialogue and reconciliation among Haiti's political forces. It calls on the Government of Haiti and all political parties to participate actively and constructively in those efforts with a view to an agreed outcome in the national interest.

"The Commission welcomes the judicial effort to hold the Raboteau and Carrefour-Feuilles trials in a fair and transparent manner, bringing to justice the perpetrators of extrajudicial killings and demonstrating the potential for improving respect for the rule of law and combating impunity.

"The Commission calls upon the Government of Haiti to investigate thoroughly politically motivated crimes, including the assassination of journalist Jean Dominique, to prosecute accused perpetrators of such crimes in accordance with Haitian law, to institute legal proceedings against perpetrators of human rights violations identified by the National Commission for Truth and Justice, and to ensure the neutrality of the police.

"The Commission encourages the Government of Haiti to take vigorous action to eliminate human rights violations, including illegal arrest and detention, to improve prison conditions, to ensure due process and, in this regard, to strengthen the Office of the Ombudsman.

"The Commission condemns acts of violence, in particular politically motivated violence, encourages all the political parties and all concerned to refrain from making inflammatory remarks, calls on members of popular organizations to cease intimidation and harassment of political activists and urges the government authorities to protect all Haitian citizens and their constitutional rights to assemble peacefully and express their political opinions.

"The Commission, noting that the United Nations International Civilian Support Mission in Haiti ended its mandate in February, observes an ongoing need in Haiti to promote and protect all human rights and to reinforce the institutional effectiveness of the police and judiciary, and invites the international community to assist Haiti in these efforts.

"The Commission also expresses concern over Haiti's 'restaveks', children who are placed in domestic service, sometimes against their will and in deplorable conditions, and encourages the efforts of the Government of Haiti supported by the United Nations International Children's Fund, the International Labour Organization and other entities working to improve the situation. The Commission encourages the Government of Haiti to promote the rights of children, in particular their right to education. The Commission also expresses concern about the difficult socio-economic situation in Haiti, which continues to exact a heavy toll on the lives of the Haitian people.

"The Commission takes note of the report of the former independent expert (E/CN.4/2001/106 of 30 January 2001) and requests a new independent expert to report to the General Assembly at its fifty-sixth session and to the Commission on Human Rights at its fifty-eighth session on developments in the situation of human rights and technical cooperation for human rights in Haiti. The Commission decides to continue its consideration of the situation of human rights in Haiti at its fifty-eighth session under the agenda item entitled 'Advisory services and technical cooperation in the field of human rights'."

XX. Rationalization of the work of the Commission

607. The Commission considered agenda item 20 at its 74th and 75th meetings, on 24 April 2001.

608. For the documents issued under agenda item 20, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

609. In the general debate on agenda item 20, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III.

XXI. (*a*) Draft provisional agenda for the fifty-eighth session of the Commission

610. The Commission considered agenda item 21 at its 80th meeting, on 27 April 2001.

611. In accordance with the provisions of paragraph 3 of Economic and Social Council resolution 1894 (LVII), of 1 August 1974, the Commission had before it a note from the Secretary-General (E/CN.4/2001/L.1), containing a draft provisional agenda for the fifty-eighth session of the Commission and indicating the documents to be submitted under each agenda item and the legislative authority for their preparation and consideration.

612. The Commission took note of the draft agenda for its fifty-eighth session, which reads as follows:

1. *Election of officers.*

2. *Adoption of the agenda.*

3. *Organization of the work of the session.*

   Legislative authority: relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Commission.

   Documentation:

   Report of the United Nations High Commissioner for Human Rights containing an analysis of the situation of human rights in Colombia (statement agreed on by consensus by the Commission, made by the Chairperson on 25 April 2001).

4. *Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights.*

   Legislative authority: General Assembly resolution 48/141; Commission resolutions 1997/69 and 2001/50.

   Documentation:

   Report of the United Nations High Commissioner for Human Rights (General Assembly resolution 48/141, para. 5; Commission resolution 1997/69, para. 14).

5. *The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.*

   Legislative authority: Commission resolutions 2001/2, 2001/3 and 2001/50.

Documentation:

(*a*) Report of the Secretary-General on the implementation of resolution 2001/2 on the situation in occupied Palestine (resolution 2001/2, para. 2);

(*b*) Report of the Special Rapporteur on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination (resolution 2001/3, para. 16).

6. *Racism, racial discrimination, xenophobia and all forms of discrimination.*

Legislative authority: Commission resolutions 2001/4, 2001/5 and 2001/50.

Documentation:

(*a*) Report of the United Nations High Commissioner for Human Rights on the implementation of resolutions 2001/4 (para. 7);

(*b*) Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (resolution 2001/5, para. 36);

(*c*) Report of the Secretary-General on the implementation of resolution 2001/5, para. 70).

7. *The right to development.*

Legislative authority: Commission resolutions 2001/9 and 2001/50.

Documentation:

Report of the Working Group on the Right to Development (resolution 2001/9, para. 24).

8. *Question of the violation of human rights in the occupied Arab territories, including Palestine.*

Legislative authority: Commission resolutions 1993/2, 2001/6, 2001/7, 2001/8 and 2001/50.

Documentation:

(*a*) Report of the Special Rapporteur (resolution 1993/2 A, para. 4; resolution 2001/7, para. 14);

(*b*) Reports of the Secretary-General (resolution 2001/6, para. 6; resolution 2001/7, para. 15);

(*c*) List of United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation (resolution 2001/7, para. 16).

9. *Question of the violation of human rights and fundamental freedoms in any part of the world, including:*

(*a*) *Question of human rights in Cyprus*;

(*b*) *Procedure established in accordance with Economic and Social Council resolutions 1503 (XLVIII) and 2000/3.*

Legislative authority: Economic and Social Council resolutions 1503 (XLVIII), 1990/41 and 2000/3; Commission resolutions 8 (XXIII), 2001/10, 2001/11, 2001/12, 2001/13, 2001/14, 2001/15, 2001/16, 2001/17, 2001/18, 2001/19, 2001/20, 2001/21, 2001/22, 2001/24 and 2001/50 and decision 2001/102.

Documentation:

(*a*) Report of the Working Group on Situations (Economic and Social Council resolution 1990/41);

(*b*) Report of the Secretary-General on the human rights situation of the Lebanese detainees in Israel (Commission resolution 2001/10, para. 5 (*b*));

(*c*) Report of the Secretary-General on reprisals against persons cooperating with representatives of United Nations human rights bodies (resolution 2001/11, para. 6);

(*d*) Report of the Special Representative on the situation of human rights in Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Commission resolution 2001/12, para. 41);

(*e*) Report of the Special Rapporteur on the situation of human rights in Afghanistan (Commission resolution 2001/13, para. 20 (*a*));

(*f*) Report of the Special Rapporteur on the situation of human rights in Iraq (Commission resolution 2001/14, para. 5 (*a*));

(*g*) Report of the Special Rapporteur on the situation of human rights in Myanmar (Commission resolution 2001/15, para. 7 (*a*));

(*h*) Report of the Special Representative of the Commission on the situation of human rights in the Islamic Republic of Iran (Commission resolution 2001/17, para. 17);

(*i*) Report of the Special Rapporteur on the situation of human rights in the Sudan (Commission resolution 2001/18, para. 8 (*a*));

(*j*) Report of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo (Commission resolution 2001/19, para. 5 (*a*));

(*k*) Report of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo and of the Special Rapporteur on extrajudicial, summary or arbitrary executions and a member of the Working Group on Enforced or Involuntary Disappearances on a joint mission to investigate all massacres carried out on the territory of the Democratic Republic of the Congo (Commission resolution 2001/19, para. 5 (*b*));

(*l*) Report of the United Nations High Commissioner for Human Rights on the human rights situation in Sierra Leone (Commission resolution 2001/20, para 11 (*f*));

(*m*) Report of the Special Rapporteur on the situation of human rights in Burundi (Commission resolution 2001/21, para. 34);

(*n*) Report of the Special Representative of the Commission on the situation of human rights in Equatorial Guinea (Commission resolution 2001/22, para. 8);

(*o*) Report of the United Nations High Commissioner for Human Rights on the situation in the Republic of Chechnya of the Russian Federation (Commission resolution 2001/24, para. 20);

(*p*) Report of the United Nations High Commissioner for Human Rights on the situation of human rights in East Timor (statement agreed on by consensus by the Commission, made by the Chairperson on 20 April 2001);

(*q*) Report of the Secretary-General on the question of human rights in Cyprus (Commission decision 2001/102).

10. *Economic, social and cultural rights.*

Legislative authority: Commission resolutions 2000/12, 2001/25, 2001/26, 2001/27, 2001/28, 2001/29, 2001/30, 2001/31, 2001/32, 2001/33, 2001/34, 2001/35 and 2001/50.

Documentation:

(*a*) Report of the independent expert on the question of human rights and extreme poverty (resolution 2000/12, para. 7 (*f*));

(*b*) Report of the Special Rapporteur on the right to food (resolution 2001/25, para. 16);

(*c*) Report of the Secretary-General on the implications and negative effects of unilateral coercive measures (resolution 2001/26, para. 11 (*b*));

(*d*) Analytical report of the independent expert on the effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, in particular, economic, social and cultural rights (resolution 2001/27, para. 10);

(*e*) Report of the open-ended working group established to elaborate policy guidelines on structural adjustment programmes and economic, social and cultural rights (resolution 2001/27, para. 19);

(*f*) Report of the Special Rapporteur on adequate housing (resolution 2001/28, para. 7);

(*g*) Report of the Special Rapporteur on the right to education (resolution 2001/29, para. 8 (*b*));

(*h*) Report of the independent expert on the question of a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights (resolution 2001/30, para. 8 (*c*));

(*i*) Report of the Secretary-General on the implementation of resolution 2001/30 (resolution 2001/30, para. 9);

(*j*) Report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights (resolution 2001/32, para. 9);

(*k*) Report of the Secretary-General on access to medication in the context of pandemics, such as HIV/AIDS (resolution 2001/33, para. 7);

(l) Report of the Secretary-General on the implementation of resolution 2001/34 (resolution 2001/34, para. 14);

(*m*) Report of the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (resolution 2001/35, paras. 13 and 14).

11. *Civil and political rights, including the questions of:*

(*a*) *Torture and detention;*

(*b*) *Disappearances and summary executions;*

(*c*) *Freedom of expression;*

(*d*) *Independence of the judiciary, administration of justice, impunity;*

(*e*) *Religious intolerance;*

(*f*) *States of emergency;*

(*g*) *Conscientious objection to military service.*

Legislative authority: Commission resolutions 2000/32, 2000/34, 2000/39, 2001/36, 2001/37, 2001/38, 2001/39, 2001/40, 2001/41, 2001/42, 2001/43, 2001/44, 2001/45, 2001/46, 2001/47, 2001/50 and 2001/62 and decision 2001/105.

Documentation:

(*a*) Report of the Office of the United Nations High Commissioner for Human Rights on human rights and forensic science (resolution 2000/32, para. 8);

(*b*) Report of the Office of the United Nations High Commissioner for Human Rights on conscientious objection to military service (resolution 2000/34, para. 2);

(*c*) Reports of the Secretary-General on human rights in the administration of justice (resolution 2000/39, paras. 20 and 21);

(*d*) Report of the Special Rapporteur on the independence of judges and lawyers (resolution 2001/39, para. 8);

(*e*) Report of the Working Group on Arbitrary Detention (resolution 2001/40, para. 11);

(*f*) Report of the Special Rapporteur on religious intolerance (resolution 2001/42, para. 18);

(*g*) Report of the United Nations High Commissioner for Human Rights on the main trends and governmental policies regarding the incompatibility between democracy and racism (resolution 2001/43, para. 7);

(*h*) Report of the open-ended working group on a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 2001/44, para. 2);

(*i*) Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (resolution 2001/45, paras. 14 and 15 (*a*));

(*j*) Report of the Working Group on Enforced or Involuntary Disappearances (resolution 2001/46, para. 10);

(*k*) Report of the independent expert appointed to examine the existing international criminal and human rights framework for the protection of persons from enforced or involuntary disappearance (resolution 2001/46, para. 11);

(*l*) Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (resolution 2001/47, para. 21);

(*m*) Annual report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 2001/62, para. 25);

(*n*) Report of the Special Rapporteur on the question of torture (resolution 2001/62, para. 38);

(*o*) Report of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture (resolution 2001/62, para. 45);

(*p*) Annual report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (resolution 2001/62, para. 46);

(*q*) Report of the United Nations High Commissioner for Human Rights on the final outcome of the consultative meeting on the basic principles and guidelines on the right to a remedy and reparation for victims of violations of international human rights and humanitarian law (decision 2001/105).

12. *Integration of the human rights of women and a gender perspective:*

(*a*) *Violence against women.*

Legislative authority: Commission resolutions 1997/44, 2001/48, 2001/49 and 2001/50.

Documentation:

(*a*) Report of the Special Rapporteur on violence against women, its causes and consequences (resolution 1997/44, para. 14);

(*b*) Update on the report of the Secretary-General on activities of United Nations bodies and other international organizations pertaining to the problem of trafficking in women and girls (resolution 2001/48, para. 16);

(*c*) Joint work plan of the Division for the Advancement of Women and the Office of the United Nations High Commissioner for Human Rights (resolution 2001/50, para. 8);

(*d*) Report of the Secretary-General on the implementation of resolution 2001/50 (resolution 2001/50, para. 30).

13. *Rights of the child.*

Legislative authority: General Assembly resolution 51/77; Commission resolutions 1992/74, 2001/50, 2001/74 and 2001/75.

Documentation:

(*a*) Annual report of the Special Representative of the Secretary-General for children and armed conflict (General Assembly resolution 51/77, para. 37);

(*b*) Report of the Sub-Commission on the Promotion and Protection of Human Rights on the state of implementation of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography (resolution 1992/74, sect. I, para. 8);

(*c*) Report of the Office of the United Nations High Commissioner for Human Rights on the issue of the abduction of children from northern Uganda (resolution 2001/74);

(*d*) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography (resolution 2001/75, para. 30);

(*e*) Report of the Secretary-General (resolution 2001/75, para. 38 (*a*)).

14. *Specific groups and individuals:*

(*a*) *Migrant workers*;

(*b*) *Minorities*;

(*c*) *Mass exoduses and displaced persons*;

(*d*) *Other vulnerable groups and individuals.*

Legislative authority: Commission resolutions 2000/50, 2000/51, 2000/54, 2001/50, 2001/52, 2001/53, 2001/54, 2001/55 and 2001/56.

Documentation:

(*a*) Report of the United High Commissioner for Human Rights on the implementation of resolution 2000/50 (resolution 2000/50, para. 4);

(*b*) Report of the Secretary-General on the problem of violence against women migrant workers (resolution 2000/54, para. 7);

(*c*) Report of the Special Rapporteur on the human rights of migrants (resolution 2001/52, para. 23);

(*d*) Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (resolution 2001/53, para. 9);

(*e*) Report of the Representative of the Secretary-General on internally displaced persons (resolution 2001/54, para. 23);

(*f*) Report of the Secretary-General on the implementation of resolution 2001/55 on the rights of persons belonging to national or ethnic, religious and linguistic minorities (resolution 2001/55, paras. 8 and 19).

15. *Indigenous issues.*

Legislative authority: Commission resolutions 2001/50, 2001/57, 2001/58 and 2001/59.

Documentation:

(*a*) Annual report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (resolution 2001/57, para. 10);

(*b*) Progress report of the working group on a draft United Nations declaration on the rights of indigenous peoples (resolution 2001/58, para. 7);

(*c*) Updated annual report of the United Nations High Commissioner for Human Rights on the International Decade of the World's Indigenous People (resolution 2001/59, para. 12).

16. *Report of the Sub-Commission on the Promotion and Protection of Human Rights:*

(*a*) *Report and draft decisions*;

(*b*) *Election of members.*

Legislative authority: Commission resolutions 2001/50 and 2001/60.

Documentation:

Report of the Sub-Commission on its fifty-third session.

17. *Promotion and protection of human rights:*

(*a*) *Status of the International Covenants on Human Rights*;

(*b*) *Human rights defenders*;

(*c*) *Information and education*;

(*d*) *Science and the environment.*

Legislative authority: Commission resolutions 2000/61, 2000/67, 2001/50, 2001/61, 2001/64, 2001/65, 2001/67, 2001/68, 2001/69, 2001/70, 2001/72 and 2001/73 and decisions 2001/111, 2001/112 and 2001/115.

Documentation:

(*a*) Annual report of the Special Representative of the Secretary-General on human rights defenders (resolution 2000/61, para. 6);

(*b*) Report of the Secretary-General on the status of the International Covenants on Human Rights (resolution 2000/67, para. 24);

(*c*) Report of the United Nations High Commissioner for Human Rights on the implementation of resolution 2001/61 on the United Nations Decade for Human Rights Education (resolution 2001/61, para. 5);

(*d*) Yearly supplement on changes in law and practice concerning the death penalty worldwide to the Secretary-General's quinquennial report on capital punishment (resolution 2001/68, para. 7);

(*e*) Report of the Secretary-General on the issue of impunity (resolution 2001/70, para. 12);

(*f*) Report of the United Nations High Commissioner for Human Rights on the role of good governance in the promotion of human rights (resolution 2001/72, para. 4);

(*g*) Report of the Secretary-General on fundamental standards of humanity (decision 2001/112);

(*h*) Preliminary report by an expert of the Sub-Commission on the Promotion and Protection of Human Rights on the issue of human rights and human responsibilities (decision 2001/115).

18. *Effective functioning of human rights mechanisms:*

(*a*) *Treaty bodies*;

(*b*) *National institutions and regional arrangements*;

(*c*) *Adaptation and strengthening of the United Nations machinery for human rights*.

Legislative authority: Commission resolutions 2000/75, 2000/77, 2000/86, 2001/50, 2001/76, 2001/77, 2001/78, 2001/80 and decision 2001/116.

Documentation:

(*a*) Report of the Secretary-General on the implementation of resolution 2000/75 (resolution 2000/75, para. 23);

(*b*) Report of the Secretary-General on the protection of United Nations personnel (resolution 2000/77, paras. 10 and 11);

(*c*) Report of the Secretary-General containing conclusions and recommendations of special procedures (resolution 2000/86, para. 10 (*a*));

(*d*) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (resolution 2001/77, para. 17);

(*e*) Comprehensive report of the United Nations High Commissioner for Human Rights on the implementation of resolution 2001/78 on the composition of the staff of the Office of the United Nations High Commissioner for Human Rights (resolution 2001/78, para. 13);

(*f*) Report of the Secretary-General on the implementation of resolution 2001/80 on national institutions for the promotion and protection of human rights (resolution 2001/80, para. 16).

19. *Advisory services and technical cooperation in the field of human rights.*

Legislative authority: Commission resolutions 2000/80, 2001/59, 2001/81 and 2001/82.

Documentation:

(*a*) Analytical report of the Secretary-General on advisory services and technical cooperation in the field of human rights (resolution 2000/80, para. 15 (*c*));

(*b*) Report of the independent expert on the situation of human rights in Somalia (resolution 2001/81, para. 11 (*a*));

(*c*) Report of the Special Representative of the Secretary-General on the situation of human rights in Cambodia (resolution 2001/82);

(*d*) Report of the Secretary-General on the situation of human rights in Cambodia (resolution 2001/82, para. 29);

(*e*) Report of the independent expert on the situation of human rights in Haiti (statement agreed on by consensus by the Commission, made by the Chairperson on 25 April 2001).

20. *Rationalization of the work of the Commission.*

Legislative authority: Commission decision 2000/109.

21. (*a*) *Draft provisional agenda for the fifty-ninth session of the Commission*

(*b*) *Report to the Economic and Social Council on the fifty-eighth session of the Commission.*

Legislative authority: Economic and Social Council resolution 1894 (LVII); rule 38 of the rules of procedure of the functional commissions of the Council.

Documentation:

Note by the Secretary-General containing the draft provisional agenda for the fifty-ninth session of the Commission, together with information concerning documentation relating thereto.

(*b*) Report of the Commission to the Economic and Social Council on its fifty-seventh session

613. At its 80th meeting, on 27 April 2001, the Commission considered the draft report on the work of its fifty-seventh session. The draft report, as contained in documents E/CN.4/2001/L.10 and Add.1-17 and E/CN.4/2001/L.11 and Add.1-8, was adopted *ad referendum*, and the Commission decided to entrust the Rapporteur with its finalization.
